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House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, June 5, 2014, at 3 p.m.

Senate

WEDNESDAY, JUNE 4, 2014

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy, holy, holy, Lord God almighty, who is and who was and who is to come, through Your wisdom all things are governed, and through Your grace all things are sustained. Give our Senators the power to serve You. As they labor to do Your will, provide them with the wisdom to discern Your precepts and obey Your commands. Lord, help them to see that to know You is life, to serve You is freedom, and to praise You is joy. Let them experience You in the center of their being, finding delight in Your presence.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 4, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. MARKEY thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

BIPARTISAN SPORTSMEN'S ACT OF 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 384, S. 2363, the Hagan sportsmen's legislation.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 384, S. 2363, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Following my remarks and those of the Republican leader, the Senate will be in a period of morning business until 11 a.m., with the Republicans controlling the first 30 minutes and the majority controlling the final 30 minutes.

At 11 a.m. the Senate will proceed to executive session and begin a series of up to four rollcall votes. The first three will be votes on confirmation of U.S. district court judges and the last vote will be a cloture vote on the nomination of Sylvia Burwell to be Secretary of Health and Human Services.

There will be a Senators-only briefing at 5:30 p.m. today.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

UNANIMOUS CONSENT REQUEST—S. 2414

Mr. McCONNELL. I had indicated to the majority leader I was going to have a unanimous consent request. I am going to propound that now.

I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of S. 2414, the Coal Country Protection Act and the Senate proceed

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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to its immediate consideration. I further ask consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

The majority leader.

Mr. REID. Reserving the right to object, the rule will not become effective for a long time. The normal period of time to make comments when rules are being promulgated is 60 days. This one is 120 days. The reason for that is Members of my caucus want to weigh in on this to try to improve the suggested rule that has come from the EPA.

I am waiting to read the proposed regulation myself, which I have not done. I have been briefed on it by my staff, and I will read this closely, as I am sure every Senator will.

I know the importance of this issue, and I will be as cooperative as I feel is appropriate with the Republican leader. But at this time I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

MEASURE PLACED ON THE CALENDAR—S. 2422

Mr. REID. Mr. President, there is a bill, S. 2422, that is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2422) to improve the access of veterans to medical service from the Department of Veterans Affairs, and for other purposes.

Mr. REID. I would object, Mr. President, to any further proceedings with regard to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed upon the calendar.

U.S. MILITARY

Mr. REID. Mr. President, the late military historian John Keegan once said:

Soldiers, when committed to a task, can't compromise. It's unrelenting devotion to the standards of duty and courage, absolute loyalty to others, not letting the task go until it's been done.

The integrity of the American soldiers safeguards our American democracy. Their devotion to duty, even in the face of difficult, trying circumstances, is what protects this Nation.

We have seen that up close the last 10 years or so with the war in Iraq and the conflict in Afghanistan. So I am very thankful for members of the U.S. Armed Forces and that they do not compromise their honor.

This past weekend our military refused to abandon its duty, instead fulfilling its obligation to never, ever, leave a soldier behind.

The release of American prisoner of war SGT Bowe Bergdahl was the culmination of heroic efforts by our military, our government, and our President.

President Obama, as Commander in Chief, acted honorably in helping an

American soldier return home to his family. Sergeant Bergdahl's release is the answer to many Americans' prayers. I can't imagine how relieved his parents and family must feel.

It is my understanding that the wait for the parents has been really unrelenting and difficult. We have seen his dad with his long, flowing beard. He decided to grow that beard as long as his son was gone. His son is home now—or almost home.

Unfortunately, though, opponents of President Obama have seized upon the release of an American prisoner of war, using what should be a moment of unity and celebration for our Nation as a chance to play political games.

The safe return of an American soldier should not be used to score political points. When a man or woman puts on a uniform as a U.S. serviceman, they have America's uncompromising support.

Only a couple of weeks ago, the junior Senator from New Hampshire released a statement touting her diligence in calling upon the Department of Defense to "do all it can to find Sergeant Bowe Bergdahl and bring him home."

In April, the Republican leader and the junior Senator from Pennsylvania sponsored a resolution "to express the sense of the Senate that no member of the Armed Forces who is missing in action should be left behind."

Senator INHOFE, the senior Senator from Oklahoma, even said that the United States "must make every effort to bring this captured soldier home to his family."

President Obama and his team did just that. They made every effort and brought this young man home. The request was made by the Senator from New Hampshire, the Republican leader, the junior Senator from Pennsylvania, and the senior Senator from Oklahoma.

Yet some of these Senators are now denouncing the very same efforts that secured Sergeant Bergdahl's release. It is clear they are worried his release could be seen as a victory for President Obama. As the President said, this is not a victory for him; it is a victory for the United States military and our country.

Let me put that notion to rest then. It is not a victory for President Obama. It is a victory for our soldiers, their families, and our great country. No member of the Armed Forces should be left behind, and President Obama saw to that.

There are questions regarding Sergeant Bergdahl's disappearance and whether or not military code was violated. These are issues that will be resolved by the U.S. Army, not Monday morning quarterbacks on Capitol Hill.

But let me just say this. For the sake of argument, let's assume that Bergdahl did violate his sworn oath. What do we do? Do we mete out justice to an American soldier—us, our country? As the Chairman of the Joint Chiefs of Staff has said yesterday, or

the day before, if he has done something wrong, military justice will step in and take care of that violation—if, in fact, there was one.

I don't know, but certainly that is a better approach than having the Taliban do it. I will choose the justice system, the U.S. Army, American justice, every time.

We have seen the brutality of the Taliban. Whatever the results of the military's inquiries, it doesn't change the fact that one more American soldier is home safely.

What was the alternative?

Would any American honestly prefer that a U.S. soldier remain in captivity until all the questions have been answered? Of course not. In the United States we rescue our soldiers first and ask questions later.

This is what RADM John Kirby said in a quote that is so powerful:

When you are in the Navy, and you go overboard, it doesn't matter if you were pushed, fell or jumped. We're going to turn the ship around and pick you up.

That is what Rear Admiral Kirby said—again:

When you are in the Navy, and you go overboard, it doesn't matter if you were pushed, fell or jumped. We're going to turn the ship around and pick you up.

I am grateful for the many people who refused to forget about Sergeant Bergdahl and worked tirelessly to secure his release.

America is glad he is home.

The ACTING PRESIDENT pro tempore. The Republican leader.

COAL COUNTRY PROTECTION ACT

Mr. MCCONNELL. President Obama's new energy regulations would shift middle class jobs overseas, splinter our manufacturing base, and boost energy costs for struggling families.

The regulations could also lead to a reduction of nearly half a million jobs, according to an AFL-CIO union estimate. The union's leader characterized the job loss as "long term and irreversible." He noted that the President's regulations would not achieve "any significant reduction of global greenhouse gas emissions"—this is an AFL-CIO union leader—in other words, lots of pain for minimal gain.

The President's energy regulations would hurt the poor, the unemployed, seniors, and especially families in Kentucky. Kentucky coal sector employment has collapsed by about 7,000 jobs since President Obama took office.

Eastern Kentucky just saw a 3-percent reduction in coal jobs in the first quarter of 2014. At least three additional Kentuckians lose their paychecks indirectly for every mining job that is lost.

As one coal leader noted, the administration's proposed regulations would only add to the economic challenges facing Kentucky—especially in Eastern Kentucky, which is ground zero for what is happening in coal country.

The Coal Country Protection Act is cosponsored by several Senators, including Senator RAND PAUL, and is supported by the Kentucky Coal Association.

It would require that simple but important benchmarks be met before the President's new rules could take effect. No. 1, the Secretary of Labor would have to certify that the regulations would not generate a loss of employment.

No. 2, the Director of the Congressional Budget Office would have to certify that the regulations would not result in any loss in American gross domestic product.

No. 3, the Administrator of the Energy Information Administration would have to certify that the regulations would not increase electricity rates.

No. 4, the Chair of the Federal Energy Regulatory Commission and the president of the North American Electric Reliability Corporation would have to certify that electricity delivery would remain reliable. So the Coal Country Protection Act is just common sense.

Moments ago the majority leader blocked consideration of this measure. Unless we take this up, debate it, and pass it, the President's rules will cause job loss, utility rate hikes, and potentially brownouts. The President's regulations will actually increase energy prices and create job loss.

Opponents of this bill will be supporting job loss in Kentucky, our economy being hurt, and seniors' energy bills spiking for almost zero meaningful global carbon reduction.

So the majority leader and the Democrats in this body need to listen. And even if they won't, Kentuckians should know I will keep fighting for them.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

THE ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from Nebraska.

WATERS OF THE UNITED STATES

Mr. JOHANNIS. Mr. President, I rise today to discuss EPA's joint proposed rule redefining waters of the United States.

Claims to the contrary notwithstanding, EPA has once again thrown down the gauntlet with this massive expansion of Federal jurisdiction. This new rule in its essence declares almost every body of water to be within Federal regulatory jurisdiction. By con-

juring up even the most remote connection to a navigable body of water, EPA is now claiming they can regulate ponds, ditches, and even low-lying areas that are actually dry during most of the year. EPA seems to think it has jurisdiction if there is just a chance that a speck of dirt can travel through a stream, a pond, or even a field to traditional navigable water, and that is clearly not what Congress intended. But the EPA, the Army Corps of Engineers, and even the USDA are touting that they listened to agriculture and that farmers' and ranchers' concerns were, in fact, reflected in this proposal. But if this 370-page rule actually provides certainty and maintains exemptions for farmers, as EPA claims, then why are most farm groups so opposed to it?

We have seen EPA become better and better at messaging to farmers, but unfortunately the actual language of the regulations—their very aggressive approach—really hasn't changed one bit. While EPA has shown a willingness to meet and to listen, the reality is that the words on paper really are what matter.

When Administrator McCarthy came before an appropriations subcommittee a few weeks ago, I pushed her on this issue. Not surprisingly, she told me they are really trying to get this right and listen to agriculture's concerns across the country. But as it stands right now, folks in farm country are justifiably alarmed.

EPA will point to a few exclusions in the rule, but if you look closely, these exemptions are so very narrowly crafted that very few waters actually would escape EPA's regulatory grasp and overreach. For example, under the proposed rule, waters that are perennial, intermittent, or ephemeral can be subject to EPA regulation. That is right—EPA is trying to regulate bodies of water that only have water in them when it is raining. That is just one of the many examples in this rule where it is clear that EPA is trying to push the envelope—and push it as far as they can.

In its so-called fact sheet on the benefits of the rule for agriculture, EPA touts that exemptions are, in fact, preserved for agriculture. Not only that, but according to the fact sheet, EPA will now exempt 56 conservation practices from permitting requirements. It says this will provide certainty and predictability. That all sounds good as messaging until you actually examine the claims. These exemptions only apply to dredge and fill permitting. All other Clean Water Act permitting requirements do not have exemptions for agriculture. So whether a permit is required for other provisions of the act is simply a function of whether the related waters are Federal waters. Thus, because EPA vastly expanded the definition of Federal waters, farmers are going to get a rude awakening when they are told they need a 402 permit before applying pesticides or when they

realize this rule may require them to have a spill prevention, control, and countermeasure plan in place or when they realize their farm pond is not exempt simply because they allow livestock to drink from it. Imagine the dismay of farmers when they realize that the much-touted exemptions are essentially meaningless and that they are subject to fines of tens of thousands of dollars per day.

Nonetheless, the Obama administration continues to tout this list of 56 conservation practices that they are proposing to exempt as if farmers should fall silent in gratitude. It is the classic smoke and mirror approach that has led to the tremendous mistrust of this administration. They say one thing while putting policies in place that dictate something entirely different.

Consider this: Even these narrow conservation exemptions are wrapped in fine print and redtape. EPA also says that in order to be exempt, a conservation practice must specifically comply with USDA standards. Again, it sounds reasonable, except that these standards, which were developed for voluntary conservation programs, were never intended to be the only means of avoiding a regulatory hammer. These are gold-plated standards. They are also very prescriptive. That may be fine for voluntary programs that come with compensation for compliance. It is not fine if farmers must follow them or face huge fines. There is nothing voluntary about that.

Can these farmers be sued because they didn't follow supposedly voluntary USDA standards? Can EPA take action against these farm families? Who will enforce compliance with those conservation practices? Will it be the USDA or will it be the EPA? Farmers generally trust USDA's voluntary approach to conservation efforts, but what happens to that trust if USDA is suddenly thrust into the business of enforcing EPA regulations on the farm? Conversely, is EPA going to hold any sway over USDA's voluntary conservation standards? Since they are planning to use those standards to regulate farms, this is a great concern.

Let me mention one additional cause for concern. These supposedly exempt practices are not even in the proposed rule; they are in a separate document from the rule, and that document can change on the whim of the EPA without warning and with no opportunity whatsoever for public comment. So ranchers doing a practice consistent with the list may get the rug pulled out from under them.

EPA claims this rule will provide certainty and predictability, and in one respect they are right. As a constituent of mine from Ogallala rightly put it, "The only clarity the proposed rule provides is to put me on notice that everything is a water of the U.S. and that I need a permit to do anything."

So it appears that in an effort to provide clarity, EPA has very much done

the opposite. And I have just scratched the surface here today. But EPA still has an opportunity to fix this mess. While the tendency of this administration has been to overregulate from day one, there is still an opportunity to pull back the rule and admit they went too far.

I had high hopes when Administrator McCarthy took the reins and expressed a desire to build trust with the ag community. In fact, she called it a priority. This rule, though, delivers the opposite message. If Administrator McCarthy is serious about having a relationship with the people I represent—ag producers—it would send such a powerful signal to say: Hold on. Let's withdraw the rule. Let's not follow this misguided direction. Call a timeout, and people would see that and say: I am going to listen. People would receive that so positively. This would certainly get the attention of the ag community and really begin to build bridges instead of outlining rhetorical wishes.

The window of opportunity is still open, and I hope the Administrator seizes it by withdrawing the rule.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Missouri.

HEALTH CARE

Mr. BLUNT. Mr. President, I wish to talk a little bit about health care this morning.

The majority leader has suggested in past weeks that all of these contacts and concerns I get from Missourians are just made up—although he didn't target Missourians and say only Missourians were making up these stories; he just said everybody was making up these stories. But that is clearly not true.

The law regarding health care—the law that is applied every day with great consistency—continues to be the law of unintended consequences, the law that so often is impacted by what we think we are doing in the Congress, only to find that the consequences of those actions go well beyond the discussion the Congress was having. Certainly if we had that debate again today, the debate we had in 2009 and early 2010, the Congress would be better prepared for that debate, the country would be better prepared for that debate, and people would understand what is at stake. What I see every day are things that people didn't anticipate would happen.

Here is a letter we got from Jack in Kansas City, MO. He said:

I'm a retired hospital CEO and glad to be retired because of Obamacare.

He points out in an absolutely correct way that in most communities in Missouri, particularly our small and midsized communities, the hospital is a real source of pride and place of healing, a major employer.

Of course, the potential end result of what is happening now with the changes we made and how hospitals are

treated, particularly hospitals in rural areas, hospitals in underserved inner-city areas, is that the programs that were in place are basically going away. And why did they go away? Because the President assumed and the Members of Congress, I am sure, who voted for this piece of legislation assumed, that everybody would be covered, that everybody would have insurance, so we didn't need to have special programs that dealt with people who didn't have insurance and hospitals that dealt with people who didn't have insurance, and we didn't need special programs for underserved areas. Clearly, that is not the case.

If we look back at the debate, many people were saying: This will not work out the way the well-intended proponents of this law think it will work out, and we are going to continue to have people without insurance.

In fact, the Congressional Budget Office reiterated again just recently that at the end of 10 years, how many people won't have insurance? Thirty million. Thirty million people didn't have insurance when we started, and to disrupt the entire health care tableau of the country to add possibly 10 million, I think we are going to have people who lose insurance at work who previously had insurance through their work. I think that will be one of the major unintended consequences as we approach the end of this year and go into next year.

I am talking to too many employers in Missouri who are saying there is a place for people to go now. They can go to the exchange. We struggled with this for a long time. Even though we are not covered by the law, even though we don't have 50 employees, we are no longer going to provide the insurance at work—that many of these employers have provided for decades and others have provided over all the time they have been in business, even if it is less than decades.

Norman from Warrensburg, MO, is concerned about what would happen with Medicare and Medicare Advantage. He says: I was struck with Guillain-Barre in 2005 which has left me disabled as well as other resulting health issues. We expend more than \$3,000 out of pocket annually just for my prescriptions alone and that was under a Medicare Advantage plan. This plus the Medicare premiums and the physician care takes almost all of our Social Security benefits. We live in a small community.

He describes Warrensburg as a small community of around 18,000, and it would probably be one of those communities to lose the Medicare Advantage type of insurance, which is the gap that he thinks allows his family to have the health care they have and would like to continue to have.

Paula from O'Fallon, MO, says she believes a lot of people's spouses are going to leave their jobs because they are going to look at who has the better insurance and try to benefit from that

better insurance. According to her, her husband's company is paying a large fine because their insurance is better than ObamaCare. I imagine more realistically what that letter might have said is that their insurance isn't exactly what the Department of Health and Human Services believes is the right kind of insurance, when the government makes these decisions instead of the people or the people closest to them, their employers.

One of the benefits of the employer-provided system was that people didn't have to worry about this. In fact, almost everybody looked at their insurance and they talked with their employer and they decided they would get more information when they needed it, and when they needed it usually the information they got was pretty good information for them to have.

Now we have people trying to figure out, if they have choices, a complexity of choices and alternatives that they never had to deal with before. Frankly, they are not going to like that, and I think one of the other unintended consequences of this law is that people are going to begin to say: I know a government-run program wouldn't be as good as the health care I used to have, but I just don't want to be responsible for it anymore. What we probably are doing is building a groundswell of people who no longer want to be forced into the decisions they never had to make, because 85 percent of everybody who had insurance had insurance at work, and 90 percent of them thought the insurance they had at work met their needs. I think we would be lucky if very far into the Affordable Care Act, 90 percent of the people who have insurance think the insurance they have moving forward meets their needs.

Angelyn from Dexter, MO, said her aunt and uncle are searching for a new doctor after their doctor moved out of State. They are having trouble finding a physician in the Dexter area that will take new Medicare patients—another unintended consequence.

The people who voted for this bill cut Medicare itself. I wasn't for it, but it is the law. One of the reasons I said I wasn't for it is we are cutting a program we already knew is challenged—Medicare—by \$500 billion to form a new program. There is no city council, there is no county government, there is nowhere else in America where people would go to a meeting and say, OK, we have a program that is in real trouble, so what we are going to do is cut that program to start a new program—and particularly a program such as Medicare that people have been led to believe they can rely on. When we cut Medicare by \$500 billion over 10 years something happens.

What Angelyn's aunt and uncle are seeing is one of the things that happens is people try to find a doctor who will take Medicare only and find doctor after doctor who says: We are going to continue to serve the Medicare patients we have as long as they are

around to serve, but we are not serving new Medicare patients.

Joanna in Kansas City said her son goes to college where he is required to have health insurance. His health insurance he gets through the school has increased 40 percent this year.

Wayne in Moberly said his premiums and prescription drug costs have increased and he is concerned it is because of all the new requirements that have to be met. He said: "The future does not look good from where I stand as a small business owner and a farmer."

Donna in Napoleon, MO, said her insurance had gone from \$93 twice a month to \$156 twice a month. The interesting point in her letter is she said her insurance would go up even more if she gets a chance to work more. There is a lot to be said for assisting people to get health insurance who cannot otherwise afford to get health insurance, but one of the things I never heard debated in any extensive way is what happens when people are at the edge of moving to a new level of work which then gives them a lower level of benefit.

Donna is saying that if she gets to work more hours, she will have less assistance buying her health insurance and her health insurance goes up. The government should not be in the business of looking for ways to encourage people not to work, as in the part-time work we see all over the country now.

One of the great workplace impacts of the health care law was that the government for the first time ever said to most employers—employers of more than 50 people—you have to provide health insurance to anybody who works 30 hours a week. So what did employers for the first time hear the government saying? If someone works less than 30 hours a week, they don't have to have to provide health insurance. So employer after employer made the decision that for new employees we are going to hire three people at 27 or 28 hours a week rather than two people at 40 hours. We are going to meet our workforce needs in a new way. Consequently, those individuals don't have coverage. Many individuals at that level of hourly work who used to have coverage no longer have coverage. An awful lot of companies used to provide coverage at half time—at 20 hours—but if the government says they don't have to provide it until 30 hours, it turns out a lot of people don't work more than 30 hours because they don't have an opportunity or maybe they work almost 60 hours, but they have to work 60 hours at two different jobs, as did a lady I mentioned just last week who contacted our office.

David in Kansas City said he is retired from the railroad industry, and on April 1 his former company canceled plans for retirees 65 and older. David had access to a retiree plan from the railroad industry. He doesn't have that anymore.

A lot of companies have done that, not just the railroad industry. IBM an-

nounced they would no longer provide health care coverage for their retirees. As soon as the retirees are 65 and older they are placed on Medicare, but what kind of supplement do they have? They used to have a supplement that was part of a big IBM plan and now they don't have that anymore. UPS announced the dependents and spouses who are in part of the UPS family wouldn't have insurance anymore. The unintended consequences keep on coming, and we need to continually look at what we need to do to see that people have access to great health care.

We are talking now—as we should be—about veterans health care and how veterans could have access to great health care. This is the moment right now where we can look at this issue in a new way. The veterans service organizations are looking at this issue. Alternatives are good. Veterans should have the best health care, in the best location for them, in the best way the taxpayers can provide it.

The Veterans' Administration should be the best at some things. They should be better than anybody else at dealing with IED accidents, eye injuries, the loss of limbs, and other issues that are unique to veterans in unfortunate numbers because of the kind of conflicts in which we have been involved. Nobody should be better at that than the VA.

The VA may be the absolute best place to go for a particular injury, such as post-traumatic stress. Our veterans have problems because of the conflicts they have been in, but they also have problems because the National Institutes of Health says one out of four adult Americans has a diagnosable mental health problem. In a hearing a couple months ago, I asked the Secretary—the Surgeon General of the Army and the other forces about this: Do you think that is reflected in the military, and the answer was yes. She said: We recruit from the general population. We don't have any reason to believe our population serving in the military doesn't reflect similarly with regard to mental health issues. Some of those mental health issues, such as post-traumatic stress, the VA should be better than anybody else at, but a lot of mental health issues in the VA, there is no reason they should be any better than any of the other facilities. Veterans may have to drive to another State to get to a veterans facility or have to drive 120 miles or 150 miles in the VA's van transportation. If that is what someone wants to do as a veteran, I think we ought to be sure veterans can do that, but if veterans want to get better care closer to home, more choices, we should do that.

Let the Veterans' Administration compete to be the best at what they can provide. There is no particular reason to believe the Veterans' Administration is going to be better than everybody in the country at normal internal medicine. There is no reason to believe the Veterans' Administration is

going to be the best at dealing with cancer or heart issues or other issues. If there is a veterans hospital that somehow has figured out how to do that, fine, but don't make veterans drive 120 miles by a dozen facilities that can do just as well or better because we have decided to put people in a system that is totally defined by the government.

One of the things we are learning is people can make better choices in so many areas than when the government makes those choices for them. So as we think about our veterans, as we think about what we can do to be sure they get the best care, that they are honored, their service is honored in a way they were led to believe it would be honored, this is a great time to have this discussion.

So whether it is health care for everybody else or health care for veterans, the Congress of the United States—and the country—has probably never been in a better position to talk about these issues. We see the unintended consequences of taking steps in the wrong direction. Now is a great time for our veterans and health care generally to see what we could do to take steps in the right direction.

I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. SCHUMER. Mr. President, I rise to point out it has now been 342 days since the Senate passed bipartisan, comprehensive immigration reform that would secure our border, turbocharge America's economic growth and provide a chance to heal America's broken families who are being separated by our dysfunctional immigration system.

Here is what we know: The non-partisan Congressional Budget Office told us that had we passed the bill this last year, we could have already seen up to \$80 billion of economic growth, \$20 billion of deficit reduction, 50,000 new jobs, \$50 billion more in the Social Security trust fund, \$2 billion of revenue for State and local governments, and 40,000 more brilliant STEM—science, technology, engineering, and mathematics—graduates stay in the United States instead of being told to go home.

Instead, we have not been able to achieve any of these important gains. Why is that? It is because the House has refused to do anything—underline anything—to try and fix our broken immigration system. To be clear, the

real problem is not that there is a difference of opinion between a House bill and a Senate bill on immigration that cannot be reconciled. The problem is there is no House bill.

We are happy to meet our colleagues in the House part of the way. We would love to sit down and negotiate, but there is no House bill. So the problem is not that the two sides are irreconcilable, it is that one side has refused to do anything. The problem is that House Republicans have completely abdicated their responsibility to address important issues such as fixing our broken immigration system.

For the last few weeks I have explained the reason the House has done nothing on immigration is because the House Republican leadership has handed the gavel of leadership on immigration to far-right extremists such as Congressman STEVE KING. He is truly extreme on this issue. STEVEN KING says to do nothing—absolutely nothing—and the House does nothing, absolutely nothing.

Well, not only has this point not been refuted by anyone in the Republican Party, it has actually been even further confirmed in the last few days.

Let's start with STEVE KING himself. Last week KING filed an amendment to the Commerce, Justice, and Science appropriations bill that would require the Department of Justice to "investigate" the Department of Homeland Security's use of prosecutorial discretion toward certain immigrants, including beneficiaries of the Deferred Action for Childhood Arrivals, or the DACA Program, that the Obama administration announced in June of 2012.

When discussing his amendment, STEVE KING—listen to this—pejoratively referred to the DACA Program as "Deferred Action for Criminal Aliens." That is what he thinks. He thinks that every immigrant is a criminal. When describing this program, STEVE KING said:

For everyone who's a valedictorian, there's another 100 out there who weigh 130 pounds—and they've got calves the size of cantaloupes because they have been hauling 75 pounds of marijuana across the border.

Was KING criticized for these comments? Was he chastised and told he has no place in a modern Republican Party? Was KING's amendment at least ignored in the same way every other immigration bill has been ignored?

Unfortunately, the answer to all of these questions is no. For the second time in a year, the House Republican leadership actually rewarded KING and handed him the gavel yet again by giving him another vote on another politically motivated appropriations amendment. The amendment to investigate the DACA Program is what received a vote last week. Just as before, the House passed yet another inflammatory King appropriations amendment along partisan lines. His previous amendment was to defund the DACA Program.

This is a man who just last week compared immigrants to Santa Ana's army. He compared immigrants to a foreign invading army. It is a comparison that implies that an immigrant's goal is to harm the interest of the United States when they desperately want to be here and participate in the freedom—both economic and political—we love and enjoy. Yet again, after he said something like this, the Republican leadership hands him the gavel on immigration. That is why we continue to see nothing out of the House other than inflammatory, rhetorical amendment show votes. The score is clear: STEVE KING is still undefeated, and he is increasing his margin of victory every day.

Well, it doesn't have to be that way. STEVE KING doesn't represent the vast number of voters in either the Republican Party or even the tea party. STEVE KING does not represent Republicans in this House. When we joined together on a moderate bipartisan bill that would do so much good for America, it was supported by traditional Republican groups—the business community, the high-tech community, the agricultural growers, the Catholic Church, the evangelical Protestant church, supported this bipartisan bill. Some on the left thought it was too conservative.

It doesn't have to be this way. STEVE KING doesn't have to write into law whatever the House does. Poll after poll is clear that even Republican voters—conservative Republican voters—want to fix our broken immigration system in a manner that secures our borders, fixes our legal immigration system, and allows those in the undocumented status to get right with the law after a long path, including paying fines, paying back taxes, learning English, having to work, and going to the back of the line and waiting.

STEVE KING is much like the Wizard of Oz when it comes to immigration. He is pulling the levers behind the screen to make it seem he has the power, but the Republican Party will learn sooner or later—as Dorothy did in the "Wizard of Oz"—that KING actually works by fear, and he doesn't have the power and the wizard's power is overstated. He can't really do very much. The only way to get back home and do something real is in ourselves, not in that man behind the screen—the Wizard of Oz, STEVE KING. Where are the leaders in the Republican Party with the courage to stand up to STEVE KING and the far right and say: Enough is enough, we will not let our authority be hijacked by extremists whose xenophobia causes them to prefer maintaining a broken immigration system, where hundreds of thousands still cross the border illegally, instead of achieving a fair, tough, and practical long-term solution?

Make no mistake, immigration reform will either pass this year with bipartisan support and a bipartisan imprint or it will pass in a future year

with only Democratic support and a Democratic imprint because Democrats control Congress and the White House. Some Democrats argue it is better for us politically if the latter occurs, and many Republicans, in their hearts, know that is true. But we don't want that. We want to fix our country's problems. We want our GDP to grow 3.5 percent as the GPO said it would if we pass this bill. We want to secure our borders once and for all. We want a fair path to citizenship so that people who work and pay taxes can get right with the law.

Time is running out. We have less than 8 weeks to go to get something passed. There is still no serious proposal from Republicans. If the House fails to act during this window, the President would be more than justified in acting anytime after the summer is over to make whatever changes he feels are necessary to make our immigration system work better for those who are unfairly burdened by our broken laws, but that is not the preferable way to go. The preferable way to go is to go the way the Senate did where Democrats and Republicans banded together to create a moderate, thoughtful, comprehensive bill that fixes our broken immigration system once and for all.

In conclusion, I hope the immigration reform bill passes this year because our economy, our broken families, and our country so badly need it. Let's hope the House finally stops talking and finally stops paying obeisance to their Wizard of Oz on immigration, STEVE KING, and starts acting.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Wyoming.

HEALTH CARE

Mr. BARRASSO. Madam President, I come to the floor as the Senate begins the debate on the nomination of Sylvia Burwell to be Secretary of Health and Human Services. If she is confirmed for that job, she would be responsible for implementing thousands of pages of regulations related to the President's health care law. I think it is appropriate, as we consider this nomination, to take a little bit of time and talk about the state of the President's health care law.

Just this morning I visited with a number of people from Uinta County, WY. I will tell you what they know and what we all know, and that is there are many dangerous side effects of the law, such as people losing access to their doctor and getting smaller paychecks.

Today I want to talk specifically about the expensive side effect so many Americans are facing, and that is how much health insurance premiums are rising because of the law. States are starting to release the proposed premiums insurance companies expect to charge next year under the Obama health care law. The numbers are not good for the American people—for people who wanted affordable care, quality

care, and access to care, the kinds of things the President of the United States looked into the camera and promised them.

Virginia was one of the first States to put out the numbers. What is happening in the State of Virginia? Every health plan sold in the State exchange expects to raise its rates next year. The State expects some people to pay as much as 17 percent more next year.

In Vermont, it is a similar story. There are two companies offering plans in the State exchange. Yesterday we learned that one intends to raise rates 10 percent, the other expects to raise its rates 15 percent next year.

Last Friday Ohio released its proposed rates for people buying insurance through the exchange. The average premium in the State's individual market is expected to be 13 percent higher next year than it was last year. According to State insurance regulators, it is bad news, but it is what they expected.

The State Lieutenant Governor said:

Continued and unnecessary headwinds out of Washington are making it more difficult for job creators, hard-working Ohioans and their families to purchase health insurance.

President Obama said the Democrats should forcefully defend and be proud of the health care law. Is there a Democrat in this body—even one—who is willing to come to the floor and forcefully defend premium increases of 13 percent, 15 percent, or 17 percent in 1 year alone?

More States are going to be releasing their new premiums all summer. More people around the country are going to see these kinds of rate increases. This is an alarming side effect of the President's health care law. That is on top of the rate increases people have already had to pay for insurance for this year.

It is astonishing when you look at the numbers. It is not just families buying health insurance through the exchanges who are getting slammed. USA Today ran a headline last week which said:

More employees are getting hit with higher health insurance premiums and co-payments, and many don't have the money to cover unexpected medical expenses, a new report finds.

The report found that 56 percent of companies increased their employees' share of health premiums for copayments for doctors' visits last year after the health care law came into effect, and 59 percent of companies intend to do the same thing this year. So people buying insurance in the exchange are being hurt, people who get insurance through work are being hurt, and small businesses are being hurt as well.

There was an article in the Alaska Dispatch about this last Thursday. It said: "Alaska's small businesses feel the pinch of rising health care costs." The article tells the story of a restaurant owner with 24 employees. He wants to offer health insurance coverage, but he is paying \$5,000 a month more than he paid last year for his

share of the insurance. He is somebody who wants to provide insurance, but it is now \$5,000 more a month for his 24 employees. He says the costs are crippling and that it is like meeting another payroll every month. This small business owner said the health care law is "killing me." He says, "I just don't know how long we can keep absorbing these costs." These are costs put on this business owner in Alaska by every Member of the Senate who voted for this health care law—every one of them.

I invite any one of them to come down here to forcefully defend this law as the President requests that they do and be proud of what they have done to this small business owner. Are Democrats in the Senate who voted for this health care law proud of what the law is doing to this small business owner in Alaska? Are they willing to forcefully defend his having to pay an extra \$5,000 a month? That is what people are dealing with.

There is a story which just came out today about North Carolina—another State where a Senator has said: If you like what you have, you can keep it. The headline to this story is "ObamaCare cripples North Carolina small business."

It says:

A North Carolina woman currently living her dream—to own a salon—could soon shatter and crumble, leaving her employees to pay astronomical costs for health insurance, all because of ObamaCare.

Julia Vittorio, owner of Fresh Salon for the past five years, is worried that she will not be able to provide her employees with health insurance.

She said: "I think you just want the best for your employees."

I think that is what many people around the country want: the best for their employees.

She said: "We are a small business and it's very much like a family, so I care about our staff."

That is what she told a television station, WCNC in Charlotte.

She previously offered her employees health insurance and paid part of it, but has been forced to reconsider her decision because of the rising costs of premiums.

"We've been very proud to even carry it for this long, but it's certainly a concern moving into the future if we're going to be able to keep doing it," she explained.

Veronica Cook, a hairdresser who has worked at Fresh Salon since it opened, said: "It's frustrating and scary and you don't know what to expect."

I think that applies to many people around the country as a result of the President's health care law—this quote: "It's frustrating and scary and you don't know what to expect." She is not sure what she will do if she has to pay for her own insurance. That is what this devastating side effect of the President's health care law is doing to people all around the country.

The President says he wants everyone to have a fair shot. Democrats say it over and over. Is this small business owner getting a fair shot? Are the fam-

ilies of Ohio getting a fair shot when their premiums go up as much as 13 percent next year?

Some Democrats who voted for the health care law have come out and said that the rates may be going up, but not as fast as maybe they would have without the law. But let's take a step back. When they were trying to pass this health care law, Democrats said it would only raise premiums—no. Democrats never said it would only raise premiums by 10 to 13 percent. No. They said it would drop premiums by \$2,500 a year. That is what the President said—\$2,500 per family per year, and he said by the end of his first term.

Well, we met with the President in February of 2010 at the White House at the roundtable discussion. Senator LAMAR ALEXANDER, my colleague from Tennessee, asked specifically about the predictions that the premiums, as we have seen, would go up. The President was making these promises, claims that they would go down. The President denied again to each of us in a face-to-face meeting that they would go up. The President said: "That's just not the case."

Well, now what we do know is it is the case, and it was the case all along. People believed the President when he promised he would save them money. They thought that Democrats were giving them this fair shot the President talks about. Now they are finding out what they got: higher premiums, higher costs, higher deductibles, higher copays, loss of coverage, you can't keep your doctor. It is hard to believe the President of the United States.

This is not what people wanted. People wanted a fair shot. But it is not what the President and Democrats in Congress actually gave them in the health care law. Many of them who voted for it never read it. NANCY PELOSI said first you have to pass it before you get to find out what is in it. But it did not stop the Democrats who voted for it from making those same promises—promises: If you like what you have, you can keep it. If you like your doctor, you can keep your doctor. Premiums will go down. All of those promises—each one of them turned out to be not true.

A fair shot is exactly what Republicans have offered, and that is—and I can tell you this as a doctor—what patients want is patient-centered care, not government-controlled and mandated care—a patient-centered approach that would solve the biggest problems that families face: access to care, cost of care, quality care. That means measures such as allowing small businesses to pool together in order to buy insurance more cheaply for their employees. It means letting people shop for health insurance that actually works for them and works for their families, not what the President says is best for them.

So in closing let me just say, these are just a couple of the solutions Republicans have offered to give Americans the care they need from a doctor

they choose at lower costs, without the outrageous, expensive side effects of the President's health care law.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

BURWELL NOMINATION

Mr. WYDEN. Madam President, after months and months of polarizing and divisive debate in the Senate about the Affordable Care Act, I rise today to strongly support the nomination of Sylvia Mathews Burwell because I firmly believe she will help the Senate come together to jointly work to improve American health care.

The reality is both political parties have had valid points on this critical issue. My party believes passionately, as I do, that everyone must be covered. Republicans feel equally passionate about having a real role for the private sector to help hold down costs and promote innovation. The Affordable Care Act does both. Working together, working together under the leadership of a talented official like Sylvia Mathews Burwell, we can build on that.

Ms. Burwell has earned much respect here in the Congress on both sides of the aisle. She had our distinguished colleague from Oklahoma TOM COBURN and our friend from West Virginia JAY ROCKEFELLER at the witness table together talking about how she had worked with both of them. She is a leader with a head and a heart, and she is qualified and experienced for this critical job at this critical time.

She is a graduate of Harvard and Oxford, where she was a Rhodes Scholar. Early in her career, she showed a commitment to service by becoming part of the Clinton administration. She was the Staff Director of the National Economic Council beginning in 1993. Soon she transitioned to be Chief of Staff to the Treasury Secretary. In 1997, she became Deputy Chief of Staff to the President and moved the following year to become the Deputy Director of OMB.

She has extensive experience in the nonprofit sector. She led efforts to address some of the most pressing global health challenges of our time. In 2011 she became the head of the Walmart Foundation.

I noted Sylvia Mathews Burwell's support, but here are a couple comments from the other side of the aisle. Senator BURR had this to say about Sylvia Mathews Burwell: "She comes with a portfolio of experience that would make her a tremendous asset at addressing some of the challenges that that agency specifically and uniquely has."

Here is what Senator COBURN had to say: "The fact is, when you have somebody that's competent and also has strong character, you find a way to get past your differences to try to solve problems."

So she has strong, vigorous support from both sides of the aisle.

Now, we all understand that the Affordable Care Act is going to be a central focus of her work every day as Secretary. Once she is confirmed, I am convinced—and Senator HATCH and I have talked about this again on a bipartisan basis—that we can come together to make the law work better.

For example, my colleague from Utah has done very good work in fixing the dysfunctional reimbursement system for Medicare known as the SGR. With Sylvia Mathews Burwell at the helm, we will get that done, and we will improve Medicare transparency because the public and taxpayers and seniors should not be in the dark about critical services.

I know Senator BEGICH is going to be making some important remarks about veterans, and I just appreciate my colleague giving me this quick minute or two because I wanted to bring a bipartisan case for Sylvia Mathews Burwell to be confirmed. We will have the beginning of the process go forward today and more discussion about her and, I am sure, the Affordable Care Act as well.

I strongly, strongly urge my colleagues to advance her nomination and to support her when we go to a final vote.

With that, I thank my colleague and yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

PROTECTING VETERANS

Mr. BEGICH. Madam President, I thank the Presiding Officer and thank my friend from Oregon.

I appreciate the opportunity to be on the floor today to talk about veterans care. It is an important issue that is not only critical to my State but across the country. As we know, it has been in the papers, on the TV, on the Internet, and everywhere else you can imagine.

There are few more important issues that we work on that have such a critical potential for impact on so many people, when you think about it. These folks have sacrificed so much for us—our veterans—and now it is important for us to make sure they have the proper care for all of their service.

Of course, the VA system is all over the national news, as I mentioned. Whatever you read, everywhere you turn, there is something about the system and what is going on. But I want to talk about Alaska's veterans programs that we are doing up there, especially around health care. For me, veterans are a big deal. It is a big deal because Alaska has so many.

Just to give you the lay of the land, we have over 77,000 veterans in Alaska. Almost 10 percent of the population of my State is veterans who have served this country in many different aspects throughout their careers and coming to Alaska to make it their home.

Along with the 77,000 veterans in Alaska, across the Nation the VA has

more than 11 million veterans registered or enrolled.

I have in the Chamber this picture of some rural veterans in Bethel, AK. I enjoyed being out there, and I have a story I will tell in a bit about the impact of some of the things we are doing in rural Alaska.

I think of these veterans like my uncle, U.S. Army Infantryman Joe Begich from up in the Iron Range of Minnesota, who will be there this weekend on an Honor Flight from Minnesota. My family is very proud of his service and the service of my late father-in-law Lou Bonito, who was an Army colonel in Vietnam.

We need to listen to their stories—not just on Memorial Day, not just on the D-day anniversary, which is this Friday. We need to listen to our veterans every single day. They deserve to be heard, just as they deserve to receive the benefits for which they fought.

Make no mistake about it. When I hear from veterans, the vast majority love the VA health care system and what is being provided to them.

I was in Alaska last week and met with veterans from all over the State. We do not have to wait for some headline or for CNN to run some story about what is wrong with the VA system.

My staff and I know what is going on with our care. We have regular meetings with the VA. As a matter of fact, when I first came to the Senate, some of the first issues we dealt with had to do with the VA and trying to make sure the Veterans Administration is dealing with Alaska's unique situation of how diverse it is and how far apart many of these services are in getting to our veterans.

When this issue started coming up on a national level this last week and over the last few weeks regarding the problems, especially in Phoenix—don't get me wrong. I am outraged, as is every American and every Alaskan, about what was going on there and what probably is happening in other VA facilities around the country as we hear about more internal audits being done. But we saw this problem. I saw this problem growing in Alaska. It was clear to me there was inadequate staffing in Alaska, along with some other programmatic problems, and systematic delivery system problems. What it meant was in Alaska, when I saw this problem, we had over almost 1,000 people waiting 2, 3 months for just their initial appointment to get VA health care services. This was unacceptable. So I convened a field hearing in Alaska to look at these issues and figure out what we could do to improve the system.

Today, the average wait time for our VA veterans, our veterans in Alaska, to get their initial appointment is now down to 9 days. As a matter of fact, the list, which we monitor on a regular basis from our office, is down to less than two dozen. That fluctuates from

day to day, but from 900-plus down to a few dozen is an incredible system change.

We didn't sit around and wait, as I said earlier, for some story to bust loose or someone to get some bumper sticker out there or make some political hits. We saw the problem and we took action. I was aggressive about it. I didn't sit around and wait for the Veterans' Administration to come up with an answer; I participated, as did my staff, because these results are real. As a matter of fact, Alaska is a model around the country on how to do this, because we figured out how to partner with folks around the State to make sure the highest priority—delivering health care to our veterans—was done, and especially in our very rural areas.

I know the State of the Presiding Officer is like my State: very rural, small population, people spread all over the place. Trying to get to their clinic or their hospital for VA care is not as easy. The Presiding Officer is more fortunate because she has road access to a lot of the places. In my State, 80 percent of the State cannot be accessed by roads, but we have veterans throughout Alaska who desperately need to get care. We solved the problem. We didn't sit around and talk about it and do nothing. We actually talked about it and came up with a solution.

When I ran for office, we had the heroes health card, and then we modified it to make sure we could access all we wanted to do. For example, here is a beautiful hospital in Nome, AK. It is way up north. It is a beautiful hospital. Indian Health Service, our tribes, runs an incredible delivery system. It is one of the best in the country when we talk about health care delivery systems. Our Indian health care systems in Alaska are rated in the country as one of the best. But I have 800 veterans, Native and nonnative, who could not access that care in that building. They lived near it. They might live right here, but they couldn't go there. They had to fly hundreds of miles to Anchorage to go to a clinic and if the service wasn't there, they would have to fly to Seattle. Outrageous—800 veterans.

So what did we do? We sat down—and I dragged General Shinseki to Alaska to some very rural areas to give him a little experience about what was going on. Nome, AL, is up north and Anchorage is down here, as we see on this map. Seattle is not even on the map, because it is kind of small, anyway; it is not like Alaska in size. There are hundreds of miles people have to travel. It was not right.

So what did we do? We partnered with our Indian health care services delivered by our tribes—incredible care. Instead of just here and here, it is now everywhere that they can access health care. So that means the veterans have a choice—a choice they did not have before we put this program into place. It is unique to Alaska, and only in Alaska right now. But those 800 veterans now have a choice. They can go

to Nome or they can go to Anchorage or to Fairbanks or down to Seattle if they want, but they get a choice now. They don't have to fly hundreds of miles.

What does this do? It saves money for the VA system not paying for airfare, and guess where that money goes: health care for veterans.

I will give an example. The earlier photo I had up here with all of those veterans in Bethel—that was a couple of years ago. I remember telling them about this idea we were trying to implement. They were a little skeptical; they didn't think it would work. This weekend I am in Bethel, AK, in the same VFW hall. This one guy pulls his hand out and shows me all of these scars where he had to get work done, and he says, I had to go to Anchorage to get this done. I thought he was going to get mad at me because that is where he had to go. He says now—these are the Bethel folks up there in the post—now he can go right down the street to get his therapy on his hand.

Do you know what he said to me? He said, MARK, I am able to save my airfare and give more care to my brothers and sisters who served with me in the military. Because he doesn't have to fly to Anchorage. He has a choice. He gets to get his care right there. We went after this issue aggressively, because we knew these veterans fought for our country and deserved the best—the best—and we knew we could offer it through this system.

The other thing: We have been aggressive, as members of the Veterans' Affairs Committee, about bringing more resources to veterans and the VA organization. Just in Alaska, in 2010, we had about a \$160 million budget. Today, it is over \$260 million in 4 years. Why? Because we are implementing programs that have success, that work, that deliver care. Is it perfect? No. Is it better than what they had 5 years ago? Absolutely. We didn't, again, sit around.

It is always amazing to me to go around this place. So many new ideas pop out because they read about it in the paper. Well, do your work. I did. We are getting results. Care is better today than it was 5 years ago. That one veteran—for him, it was incredible. The Presiding Officer knows what it is like when we are out traveling and meeting constituents and they are going to say things and we are not sure they are going to be very nice and friendly. He was a little intense about it. But when he showed me his results, I said, I want to take a picture of your hand, because that hand is the result of the work we are doing, to take 1,000 people off the primary list of waiting, down to a couple of thousands. Instead of waiting 120 days, now it is 8 days. As a matter of fact, when a veteran is enrolled in our delivery system in Anchorage through our tribal delivery system or our community clinic there, a veteran could potentially get—the likelihood is same-day service. They

walk in, they get service, no delay, because we have a system that is maximizing our Federal resources. All of those are paid by Federal tax dollars. Why not use them? Use them for the betterment of making sure our veterans have the care they need.

There are a couple of other things we could do right now, and I have written to the VA about this. For example, we have Public Health Service doctors who work in the community health service programs, but they are not in the VA. They have the ability to do it under title 38, I think it is; they just have to make it happen. This is important because we have over 5,000 of these folks in many different professions serving our country. Let's put them to work even more. They are working hard now, but maybe we could deploy them in ways to help our VA.

I also support the proposal in Senator SANDERS' bill to increase loan forgiveness for these folks who want to participate in our Public Health Service. Senator PRYOR introduced a bill that would increase support for psychiatric services for vets through a pilot program offering loan forgiveness for a gap in our service. We don't have enough.

One thing we also did, to speak about another program for our veterans in rural parts of our country—what did we do? Because sometimes the copay for accessing telehealth medicine is enough to tell people, I don't want to do it. I had a bill on the floor, or a bill that I introduced, but again General Shinseki decided to do it. So now there is no copay if veterans want to access mental health through telemedicine. Why? Because it has proven to be very successful. In remote communities such as in my State and the Presiding Officer's State, we want them to have access to mental health services. We have a limited amount of mental health dollars. So why not create an opportunity to use technology and limit the cost to the VA or to veterans, and give them the services they need? It is critical.

As I said earlier, what happened in Arizona is unacceptable. If it continues, if we see other places where these lists were falsely put together, then people need to be held accountable and prosecuted. But just dealing with that does not solve the problem. Solving the problem means being innovative and thinking out of the box. I have to say, if we can do it in Alaska, in the most remote area of this country, we can do it anywhere. We have a model that is working. We have veterans who like their care, they love their care, they have access they never had before. It is important that we figure out a solution.

I know Senator SANDERS' bill is an important bill. I hope we will have it on the floor and we can debate it and ultimately we will get to a bipartisan decision. Because if the Presiding Officer will remember, this bill failed before by two votes. They complained it

cost too much. These are veterans who served our country, who went to war for us to be in this Chamber, to be able to have free education, public education, to be able to have an incredible country. People are for veterans or people are against veterans. It is not a complicated issue. The bill that failed told me where some people were. Some were for veterans and some were against veterans. We had two wars unpaid for, trillions of dollars. Now it comes time to pay the bill for the people who have served our country, and we debate that we can't do that.

We are going to have a bill in short order on providing all kinds of tax extenders for horses in Kentucky to get special tax breaks, but we are not going to pay for that. We are not going to pay for that. But when it comes to veterans: Oh, we have to pay for that. Too bad. No. When that bill comes forward, it is time to see who is for veterans and who is against veterans. It is not complicated. In the tax bill there are special deductions for horse racing. We are not going to pay for it. Somehow, horses are important.

Veterans are important. This is an issue we take care of. Complaining about what it will cost—veterans have paid the ultimate price. They have served our country. And the people who are not coming back have served and paid the ultimate price.

My poor staff sometimes wonders where I am going with my presentation. I get pretty outraged about this, because in Alaska veterans are an important issue. This country is important. And for us to debate the few couple billion or a few hundred million that we are complaining about—some people have—we have spent \$2 trillion-plus on wars. It is time for us to pay the debt to these veterans.

I know we are going to have a hearing this week in the committee. We will be working on the bill that Senator SANDERS has put together and I have participated in, as has every other member of the Veterans' Affairs Committee. It is time to do the right thing for our veterans.

I appreciate the opportunity to be on the floor. As an Alaskan I recognize the importance of our veterans. I believe everyone in this Chamber recognizes the importance of our veterans. But they will have a chance. They will have an opportunity to decide if they are for veterans or if they are against veterans. If they come down with convoluted Washington, DC, doublespeak about how they can't do the bill because of this or that—people are fed up in this country. I know when I go back home, they just ask me a very simple question: Can we get better health care for our veterans? Can we access the GI bill to make sure veterans get an opportunity to get a better education? Is there an opportunity for them to take the skill they learned in the military and put it to work to get a job? These are the things we should be fighting for.

I have a feeling we will be down here with some Members quibbling over some small detail because they really don't want to pass the bill. Again, they are for veterans or they are against veterans. It is not complicated.

I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to consideration of Calendar No. 796, the Selig nomination, and the Senate proceed to vote on confirmation of that nomination; further, that if confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, we expect this nomination to be confirmed by voice vote, so we expect four rollcall votes at 11 a.m.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF MARK G. MASTROIANNI TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

NOMINATION OF BRUCE HOWE HENDRICKS TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

NOMINATION OF TANYA S. CHUTKAN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider

the following nominations which the clerk will report.

The bill clerk read the nominations of Mark G. Mastroianni, of Massachusetts, to be United States District Judge for the District of Massachusetts; Bruce Howe Hendricks, of South Carolina, to be United States District Judge for the District of South Carolina; and Tanya S. Chutkan, of the District of Columbia, to be United States District Judge for the District of Columbia.

The PRESIDING OFFICER. Under the previous order, there will be now 2 minutes of debate equally divided in the usual form prior to a vote on confirmation of the Mastroianni nomination.

Mr. LEAHY. Madam President, today, the Senate will vote on the confirmation of three nominees to serve on the U.S. district courts in Massachusetts, South Carolina, and the District of Columbia. The Senate Judiciary Committee reported two of these nominees unanimously to the full Senate, and the third nominee with strong bipartisan support.

These nominees are not controversial and in past years would have been confirmed weeks, or even months, ago. Instead, Republicans continue to refuse to give consent for votes on any judicial nominee, irrespective of their qualifications or the support of home State Senators. As a result, yesterday the Senate was forced again to waste valuable time voting to end the unnecessary filibusters of three highly qualified nominees. The Senate has now voted to end the filibusters of 44 judicial nominees so far during 2014. It is every Senator's right to demand continued debate on any measure or nomination before this chamber. But I would say to any Senator who requires a cloture vote on a qualified, consensus nominee to at least speak about the nominee and not to obstruct for obstruction's sake.

I hope that this partisan fever will break in the near future, and that Republicans will stop reducing the Senate's constitutional role of advice and consent into a tool of obstruction. These delays should stop.

Mark Mastroianni has been nominated to fill a judicial vacancy on the U.S. District Court for the District of Massachusetts. He has served since 2011 as district attorney in the Hampden district attorney's office and previously worked in private practice. Following law school, he served as an assistant district attorney in the Hampden District Attorney's Office from 1990 to 1995. Mr. Mastroianni has the support of his home State senators, Senator WARREN and Senator MARKEY. The Judiciary Committee reported him favorably to the full Senate by voice vote on March 6, 2014.

Judge Bruce Hendricks has been nominated to fill a judicial vacancy on the U.S. District Court for the District of South Carolina. She has served since 2002 as a U.S. magistrate judge for the

District of South Carolina. During her judicial service, she presided over thousands of criminal and civil cases. She served as an adjunct professor at the College of Charleston from 2000 to 2001, teaching classes on the structure of the Federal and State court system and civil processes and procedures. She previously served as an assistant U.S. attorney in the District of South Carolina from 1991 to 2002. Judge Hendricks' nomination received the American Bar Association's highest rating of "unanimously well qualified." She has the support of her home State Republican senators, Senator GRAHAM and Senator SCOTT. The Judiciary Committee reported her favorably with bipartisan support to the full Senate by roll call vote of 16–2 on March 6, 2014.

Tanya Chutkan has been nominated to fill a judicial vacancy on the U.S. District Court for the District of Columbia. Tanya Chutkan has worked in private practice as a partner at Boies, Schiller & Flexner LLP, where she has served as a partner since 2007 and as a counsel from 2002 to 2006. She previously served as an attorney at The Public Defender Service for the District of Columbia from 1991 to 2002. She worked in private practice as an associate at Donovan, Leisure, Rogovin, Hoge & Schiller from 1990 to 1991 and at Hogan & Hartson LLP from 1987 to 1990. The Judiciary Committee reported her favorably to the full Senate by voice vote on March 27, 2014.

In addition to the nominees we will vote on today, there are 10 additional judicial nominees reported by the Judiciary Committee pending on the Senate Executive Calendar, including seven nominees who were reported unanimously. Six of the 10 judicial nominees that will be left pending after today's confirmation votes will fill judicial emergency vacancies in the District of Nevada, the Southern District of Illinois, and in the Middle and Southern Districts of Florida. I hope that the Senate moves quickly to confirm these nominees, and others.

Mr. REID. Madam President, I ask unanimous consent that the time be yielded back.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Mark G. Mastroianni, of Massachusetts, to be United States District Judge for the District of Massachusetts?

Mr. VITTER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Utah (Mr. LEE), and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 2, as follows:

[Rollcall Vote No. 171 Ex.]

YEAS—92

| | | |
|------------|--------------|-------------|
| Alexander | Grassley | Murphy |
| Ayotte | Hagan | Murray |
| Baldwin | Harkin | Nelson |
| Barrasso | Hatch | Portman |
| Begich | Heinrich | Pryor |
| Bennet | Heitkamp | Reed |
| Blumenthal | Heller | Reid |
| Blunt | Hirono | Risch |
| Boxer | Hoeven | Rockefeller |
| Brown | Inhofe | Rubio |
| Burr | Isakson | Sanders |
| Cantwell | Johanns | Schatz |
| Cardin | Johnson (SD) | Schumer |
| Carper | Johnson (WI) | Scott |
| Chambliss | Kaine | Sessions |
| Coats | King | Shaheen |
| Coburn | Kirk | Shelby |
| Collins | Klobuchar | Stabenow |
| Coons | Landrieu | Tester |
| Corker | Leahy | Thune |
| Cornyn | Levin | Toomey |
| Crapo | Manchin | Udall (CO) |
| Donnelly | Markey | Udall (NM) |
| Durbin | McCain | Vitter |
| Enzi | McCaskill | Walsh |
| Feinstein | McConnell | Warner |
| Fischer | Menendez | Warren |
| Flake | Merkley | Whitehouse |
| Franken | Mikulski | Wicker |
| Gillibrand | Moran | Wyden |
| Graham | Murkowski | |

NAYS—2

Cruz Paul

NOT VOTING—6

| | | |
|---------|---------|---------|
| Booker | Casey | Lee |
| Boozman | Cochran | Roberts |

The nomination was confirmed.

The PRESIDING OFFICER. The motions to reconsider will be considered made and laid on the table, and the President will be immediately notified of the Senate's actions.

Under the previous order, there will now be 2 minutes of debate equally divided in the usual form prior to a vote on the confirmation of the Hendricks nomination.

The Senator from South Carolina.

Mr. GRAHAM. Senator SCOTT and I would ask the membership to vote aye for Bruce Howe Hendricks. She is a former U.S. magistrate. She is a former U.S. attorney from the State of South Carolina. She has received numerous awards for a scholarship. She is well respected by both Republicans and Democrats. She has a rich judicial background and will be a great choice to assume the Federal bench in South Carolina, and she was rated unanimously "well qualified" by the ABA. I strongly support her nomination.

I yield back the remainder of our time.

I ask for the yeas and nays.

The PRESIDING OFFICER. All time is yielded back.

Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of

Bruce Howe Hendricks, of South Carolina, to be United States District Judge for the District of South Carolina?

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Utah (Mr. LEE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 172 Ex.]

YEAS—95

| | | |
|------------|--------------|-------------|
| Alexander | Grassley | Murray |
| Ayotte | Hagan | Nelson |
| Baldwin | Harkin | Paul |
| Barrasso | Hatch | Portman |
| Begich | Heinrich | Pryor |
| Bennet | Heitkamp | Reed |
| Blumenthal | Heller | Reid |
| Blunt | Hirono | Risch |
| Boxer | Hoeven | Roberts |
| Brown | Inhofe | Rockefeller |
| Burr | Isakson | Rubio |
| Cantwell | Johanns | Sanders |
| Cardin | Johnson (SD) | Schatz |
| Carper | Johnson (WI) | Schumer |
| Chambliss | Kaine | Scott |
| Coats | King | Sessions |
| Coburn | Kirk | Shaheen |
| Collins | Klobuchar | Shelby |
| Coons | Landrieu | Stabenow |
| Corker | Leahy | Tester |
| Cornyn | Levin | Thune |
| Crapo | Manchin | Toomey |
| Cruz | Markey | Udall (CO) |
| Donnelly | McCain | Udall (NM) |
| Durbin | McCaskill | Vitter |
| Enzi | McConnell | Walsh |
| Feinstein | Menendez | Warner |
| Fischer | Merkley | Warren |
| Flake | Mikulski | Whitehouse |
| Franken | Moran | Wicker |
| Gillibrand | Murkowski | Wyden |
| Graham | Murphy | |

NOT VOTING—5

| | | |
|---------|---------|-----|
| Booker | Casey | Lee |
| Boozman | Cochran | |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider will be considered made and laid upon the table. The President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to the vote on confirmation of the Chutkan nomination.

Mr. REID. Madam President, I yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Tanya S. Chutkan, of the District of Columbia, to be United States District Judge for the District of Columbia?

Mr. ISAKSON. Madam President, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Utah (Mr. LEE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 173 Ex.]

YEAS—95

| | | |
|------------|--------------|-------------|
| Alexander | Grassley | Murray |
| Ayotte | Hagan | Nelson |
| Baldwin | Harkin | Paul |
| Barrasso | Hatch | Portman |
| Begich | Heinrich | Pryor |
| Bennet | Heitkamp | Reed |
| Blumenthal | Heller | Reid |
| Blunt | Hirono | Risch |
| Boxer | Hoeven | Roberts |
| Brown | Inhofe | Rockefeller |
| Burr | Isakson | Rubio |
| Cantwell | Johanns | Sanders |
| Cardin | Johnson (SD) | Schatz |
| Carper | Johnson (WI) | Schumer |
| Chambliss | Kaine | Scott |
| Coats | King | Sessions |
| Coburn | Kirk | Shaheen |
| Collins | Klobuchar | Shelby |
| Coons | Landrieu | Stabenow |
| Corker | Leahy | Tester |
| Cornyn | Levin | Thune |
| Crapo | Manchin | Toomey |
| Cruz | Markey | Udall (CO) |
| Donnelly | McCain | Udall (NM) |
| Durbin | McCaskill | Vitter |
| Enzi | McConnell | Walsh |
| Feinstein | Menendez | Warner |
| Fischer | Merkley | Warren |
| Flake | Mikulski | Whitehouse |
| Franken | Moran | Wicker |
| Gillibrand | Murkowski | Wyden |
| Graham | Murphy | |

NOT VOTING—5

| | | |
|---------|---------|-----|
| Booker | Casey | Lee |
| Boozman | Cochran | |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider will be considered made and laid upon the table. The President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form prior to a vote on the motion to invoke cloture on the Burwell nomination.

The Senator from Oregon.

Mr. WYDEN. Madam President, Sylvia Mathews Burwell was introduced at the Finance Committee by the Senator from Oklahoma TOM COBURN and the senior Senator from West Virginia JAY ROCKEFELLER. She has extraordinary bipartisan support because she can bring people together. After years of divisive and polarizing discussion about the Affordable Care Act, Sylvia Mathews Burwell is somebody who will bring Democrats and Republicans together to improve the quality and affordability of our health care.

I strongly urge all Senators to vote for Sylvia Mathews Burwell.

I yield back time.

The PRESIDING OFFICER. All time is yielded back.

The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services.

Harry Reid, Ron Wyden, Tom Harkin, Richard J. Durbin, Barbara Boxer, Michael F. Bennet, Debbie Stabenow, Benjamin L. Cardin, Mary Landrieu, Mark Begich, Joe Donnelly, Tim Kaine, Robert P. Casey, Jr., Sherrod Brown, Patrick J. Leahy, Tom Harkin, Angus S. King, Jr.,

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Pennsylvania (Mr. CASEY) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Utah (Mr. LEE).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "nay" and the Senator from Utah (Mr. LEE) would have voted "nay."

The PRESIDING OFFICER. (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 28, as follows:

[Rollcall Vote No. 174 Ex.]

YEAS—67

| | | |
|------------|--------------|-------------|
| Alexander | Hagan | Murray |
| Baldwin | Harkin | Nelson |
| Begich | Hatch | Portman |
| Bennet | Heinrich | Pryor |
| Blumenthal | Heitkamp | Reed |
| Boxer | Hirono | Reid |
| Brown | Isakson | Rockefeller |
| Burr | Johnson (SD) | Sanders |
| Cantwell | Kaine | Schatz |
| Cardin | King | Schumer |
| Carper | Klobuchar | Shaheen |
| Chambliss | Landrieu | Stabenow |
| Coats | Leahy | Tester |
| Collins | Levin | Toomey |
| Coons | Manchin | Udall (CO) |
| Corker | Markey | Udall (NM) |
| Crapo | McCain | Walsh |
| Donnelly | McCaskill | Warner |
| Durbin | Menendez | Warren |
| Feinstein | Merkley | Whitehouse |
| Flake | Mikulski | Wyden |
| Franken | Murkowski | |
| Gillibrand | Murphy | |

NAYS—28

| | | |
|----------|--------------|----------|
| Ayotte | Heller | Roberts |
| Barrasso | Hoeven | Rubio |
| Blunt | Inhofe | Scott |
| Coburn | Johanns | Sessions |
| Cornyn | Johnson (WI) | Shelby |
| Cruz | Kirk | Thune |
| Enzi | McConnell | Vitter |
| Fischer | Moran | Wicker |
| Graham | Paul | |
| Grassley | Risch | |

NOT VOTING—5

| | | |
|---------|---------|-----|
| Booker | Casey | Lee |
| Boozman | Cochran | |

The PRESIDING OFFICER. On this vote the yeas are 67, the nays are 28. The motion is agreed to.

NOMINATION OF SYLVIA MATHEWS BURWELL TO BE SECRETARY OF HEALTH AND HUMAN SERVICES

The bill clerk read the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services.

NOMINATION OF STEFAN M. SELIG TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the following nomination which the clerk will report.

The bill clerk read the nomination of Stefan M. Selig, of New York, to be Under Secretary of Commerce for International Trade.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Stefan M. Selig, of New York, to be Under Secretary of Commerce for International Trade?

The nomination was confirmed.

NOMINATION OF SYLVIA MATHEWS BURWELL TO BE SECRETARY OF HEALTH AND HUMAN SERVICES—Continued

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR NO. 8

Mr. MENENDEZ. Madam President, 2 weeks ago I came to the Senate floor to ask unanimous consent to ratify the protocol amending our tax treaty with Switzerland. I argued that the new protocol would no longer permit Swiss banks to withhold information on U.S. individuals who have hidden behind Swiss bank secrecy laws to avoid paying U.S. taxes.

Today I come to the Senate floor to ask unanimous consent to ratify the bilateral income tax treaty with Chile.

If the protocol with Switzerland is the perfect example of how tax treaties enhance our efforts to prevent tax evasion, the treaty with Chile—the first between our two countries—is the perfect example of why the United States pursues tax treaties. We pursue them to promote greater trading investment.

We pursue them to protect American companies from double taxation. We pursue them to expand new markets and develop new business opportunities for companies and investors.

On April 1 the Foreign Relations Committee, with strong bipartisan support, reported favorably on a proposed new income tax treaty with Chile. If ratified, the treaty would be only the third U.S. tax treaty in all of Latin America, but it would be a significant step forward in a region critical to U.S. international economic interests and would be with one of our strongest allies in the hemisphere.

What does this treaty do? Simply put, it promotes trade and investment between the United States and Chile. It provides for reduced withholding rates on cross-border payments of dividends, interest, and royalties. It would prevent avoidance or evasion of the taxes, includes rigorous protections against treaty shopping, and ensures exchange of information between our nations' tax authorities.

Let me also add, the American private sector's support for this treaty is unequivocal. To quote from a 2013 letter to Senate leaders from the National Foreign Trade Council, the National Association of Manufacturers, the U.S. Chamber of Commerce, and other major U.S. business associations, "... ratification would represent an important milestone in lowering tax barriers to U.S. companies operating in Latin America ... and would protect the interests of U.S. taxpayers" in Chile.

This protects and grows U.S. investment in Chile. It expands U.S. economic engagement in the region, and that is a win-win-win.

I know there are those in the Chamber who do not see it that way, but these are the facts of economic engagement and economic statecraft in the hemisphere.

In the last decade, Chile has taken a regional leadership role on trade issues. It is one of our most important bilateral economic partners in the region. Total bilateral trade has nearly tripled since 2003, and U.S. investment in Chile has more than tripled from \$10 billion in 2004 to roughly \$35 billion today. Ratifying this treaty will take the bilateral commercial relationship to the next level.

I understand newly inaugurated Chilean President Michelle Bachelet plans to travel to Washington later this month to continue the close partnership between our two countries. Ratifying this treaty would send President Bachelet a strong message that we value our partnership with Chile and we are serious about further expanding economic opportunities between our two countries.

Madam President, 1,421 days have passed since the last time this Senate ratified an income tax treaty. We can end that ignoble streak right now.

So I ask unanimous consent, at a time to be determined by the majority leader, in consultation with the Repub-

lican leader, the Senate proceed to executive session to consider Calendar No. 8, treaty document No. 112-8; that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolutions of ratification; that any committee declarations be agreed to as applicable; that any statements be printed in the RECORD as if read; that if the resolution of ratification is agreed to, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object, I think it is important to remember that the vast majority of Americans are law-abiding Americans who reside either here or overseas and that they do have an expectation of privacy and they do have a right to privacy. Those who break the law should be punished, but we can't forget about the innocent Americans who are not breaking the law who do have a right to privacy.

We have had treaties such as this for decades, and I am not opposed to the treaties. There are beneficial aspects to the treaties. Past treaties have had a standard which said that one had to be committing tax fraud or that one had to be engaged in fraudulent activity, the same way every American here expects that the government is not going to look at a person's bank account unless they have gone to a judge with evidence that a person is cheating on their taxes. The government can't just look at everybody's information in the bank without probable cause. The previous standard was that there had to be some evidence presented that a person was cheating on their taxes. I think there should be some evidence presented.

The new standard is they can look at any of a person's records that may be relevant. This is a much lower standard, and I think it will be injurious to the vast majority, if not the overwhelming majority, of Americans who are actually innocent but just happen to be living abroad.

I would be willing to work with whoever is willing to work with me on this to get the treaties passed if we can keep the same standard we have had previously, which is a standard of fraud, not a standard that these may be relevant.

So for this reason, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I would have more extensive remarks, but I know my colleague from Maryland has a different unanimous consent request. Let me make just three quick points.

Chile's and other tax treaties the Foreign Relations Committee has re-

ported favorably do not represent the first time the Senate has considered treaties providing for information exchange based on a "foreseeably relevant" or "may be relevant" standard.

In fact, since 1999—so that is about 15 years now—the Senate has adopted resolutions of advice and consent for at least eight other tax treaties using the relevant standard. This standard has been part of the model of U.S. tax treaties since 2006. So it is not correct that the "may be relevant" or "foreseeably relevant" standard is vague or ambiguous. In fact, it has been extensively defined in agreed guidance to which no country has expressed a dissenting opinion to date.

I must say that not only are these objections ultimately not providing all the benefits that all of the private-sector interests have expressed—as I referred to before, the entire business community—but by the same token, I simply have a tough time accepting that those who cheat get away with cheating and that somehow we are going to make it easier for them to cheat when the average American does not have the opportunity nor the desire nor do they cheat in terms of their payment of whatever are the taxes they owe to the Federal Government in a way that helps sustain all of the things we seek as Americans: the best armed forces in the world, security here at home, educational opportunity for our kids.

So there is a fundamental difference here. I will push these tax treaties, and I will urge the majority leader to give us votes then in a process because it has overwhelming support and we cannot have one Member of the Senate object to a process that can provide such benefits and such equity across the board.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—EXECUTIVE
CALENDAR NO. 9

Mr. CARDIN. Madam President, let me underscore the point Senator MENENDEZ, the chairman of the Foreign Relations Committee, has made in regard to these tax treaties.

I want to make two principal points, and then a few other comments, and then I am going to propound a unanimous consent request in regard to the Swiss protocols.

The two points I want to raise—first on the standard of fraud, the relevancy standard that has been included in tax treaties ratified by the Senate since the 1990s. There are at least eight treaties that have used this standard. This is the international standard on fraud. It is not the U.S. Standard. It is not the Swiss standard. It is not the Chilean standard. It is the international standard.

There may have been one time when the United States could dictate what tax treaties would include. But we are part of an international community. It is part of international negotiations.

This is the international standard for cooperation among taxing authorities in order to establish a level playing field.

Secondly, our Constitution provides for the ratification of treaties by the Senate and provides for a two-thirds vote. It is an extraordinary vote. It is a heavy vote. It is a heavy burden for ratification of the treaties. It is not 100 percent; it does not require every Senator to agree to it, but it takes two-thirds of the Senators.

I would urge my colleagues that we need to return to regular order. Everyone talks about returning to regular order in the Senate. Well, if we need to go through lengthy debates and votes on a treaty that is totally noncontroversial, I am not sure we are serving the best interests in the Senate. Let's have an open debate, but let's vote. If some Senators disagree, well, at least allow the vote to go forward so we can get the two-thirds of the Senate to agree.

I want to thank the chairman of the committee. He gave me the opportunity to chair the hearings. So I was at the hearings during consideration of these treaties. We had a full panel of witnesses. Not one testified in opposition and not one was concerned about the issue that my colleague from Kentucky has raised on the fraud standard. In fact, they all said this is the level playing field. This will allow our country to support our companies and provide a level playing field for international investment in the United States.

The absence of this treaty affects America's ability to attract investment. Make no mistake about it. It hurts our companies. It hurts American companies that want to do business in other countries. They need a level playing field, to be protected against multiple layers of taxation and compliance issues. So this allows for that level playing field, so we can have fair agreements.

Let me mention one company that has come to us and said this is very important: McCormick. McCormick is a company that has been headquartered in Maryland for 125 years. They have 2,000 employees in my State of Maryland and 10,000 employees globally. They are hurt by the failure to have these treaties ratified.

It presents a level playing field. It allows for investment. It protects the privacy. Our laws protect privacy. Swiss laws protect privacy. What this does is establish a level playing field so all are protected.

I appreciate the fact that we may want to negotiate this in a different way. Well, let's work with our negotiators and work with the international community. It is not going to be the United States dictating what that standard should be. Quite frankly, the relevancy standard has worked well. There have been no complaints whatsoever on privacy issues on the eight treaties we have ratified. To the

contrary, what it does is it removes the veil from those who are tax cheats, to allow us to get that information. It provides for the transparency necessary between taxing jurisdictions so you cannot hide and commit fraud against one country where you have the treaty.

So I would urge my colleagues to allow us to proceed on these treaties. It is very important to economic growth in our own State.

With that, Madam President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 9, treaty document 112-1; that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolutions of ratification; that any committee declarations be agreed to as applicable; that any statements be printed in the Record; that if the resolution of ratification is agreed to, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Madam President, reserving the right to object, let me make one point very clear. One Senator cannot prevent a vote in this body. The vote can occur at any point in time. One Senator can prevent sort of expedited passage without extensive debate.

One of the things our Founding Fathers did with this body, by allowing filibuster and by allowing procedural ways to slow things down, was to allow Senators who are in the minority to try to influence legislation.

I am open to a discussion on the language of this treaty, and I am open to a discussion on how we would have the standard promulgated. But I am very aware that when people talk about the criminal aspect of people they want to punish—I am in favor of that as well—you have to be aware that the vast majority of Americans who reside overseas are not criminals, are not tax cheats, and are law-abiding citizens.

So I do not think we should agree to a standard that is less than our normal standard here in the country. I also do not think we should agree to a standard that might allow bulk collection of data on everyone who lives overseas. Realize that this can be putting us beholden to other countries as well, accessing records of their citizens who are here as well.

So I think we have to be very careful about lessening the standard, and it is very much worth a debate. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Madam President, let me point out that it has now been 4

years since we have ratified treaties—4 years—because of time restraints of doing business in the Senate. It is one Senator holding up an expedited way under the Senate rules so we could get a vote. He can cast his vote any way he wishes on this issue.

I will just say, we have so many of these tax treaties that are backed up now, not just the two we have spoken about today. There are other tax protocols and treaties that are waiting for Senate ratification. I would hope we could find a way that would satisfy colleagues to allow an up-or-down vote on these treaties. They are noncontroversial, but they are extremely important to the businesses of our country and moving our economy along.

The PRESIDING OFFICER. With regard to the Selig nomination, under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

Mr. CARDIN. Madam President, I ask unanimous consent that the majority control the time from 2 p.m. until 3 p.m. today and the Republicans control the time from 3 p.m. until 4 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Madam President, I come today and I am honored to support my friend Sylvia Mathews Burwell. Sylvia is a native of West Virginia, and I have always said that we are all a part of our environment. If you know where Sylvia came from, the type of area where she was raised and the neighborhood, it will tell you everything about who she is today and why she has been so successful and why public service runs through her veins, truly giving something back.

The little town of Hinton, WV, is where Sylvia is from. It is in beautiful Summers County in the southern part of the State. It is right on the New River. It is a train town. Trains will come there and dispatch, and they will get them turned around to go in the right direction.

I will never forget when they introduced Sylvia. I think it was Senator ALEXANDER who was speaking. He was talking about his father, who worked in the rail yard and was always responsible for turning the trains and getting them moving. I said: Well, one thing about that, Sylvia comes from a train town. She knows how to get the train on the track and how to get it moving in the right direction, and she has proven that.

She is an unbelievable, blessed person. She is gifted, as smart as they come—a Rhodes scholar. In West Virginia we are so proud to have a person with those types of skills and the ambition to serve.

Now we will get into a little bit about her mom and dad because it is really who she is. Her father is an eye doctor there and is well respected in the town, and he is an immigrant who came from Britain. Her mother Cleo Mathews was the mayor. When I was Governor of West Virginia and I would come to town, Cleo would always call and tell me everything I did wrong. She was usually right, and we would get things worked out. We always had a great relationship. But she had skills and she had to give something back. You had to be involved. You just couldn't sit around. You couldn't be satisfied with your life just thinking, well, I work and I have a paycheck. There was always something.

I think that comes from—I am second generation also—coming to this country and hearing your grandparents talk about all the wonderful opportunities they have been provided and how privileged they believe they are and how honored and why we always have to give something back. You had to volunteer, be involved. You had to go out and contribute. You had to do something. That is the type of background Sylvia comes from.

When you look at every job she was asked to do, she was in the Clinton administration. If fame and fortune were her desire, she could have gotten it a long time ago. She did public service, and she did it in an exemplary fashion. Then after the Clinton administration she went to the Gates Foundation. She went to the Walmart Foundation. She is always with a foundation. She is somebody who is willing to help others and give back, trying to invest in the best of America. Then she came back and she became our Director of OMB. She got totally unanimous support.

Now the President has tasked her to come and take the reins of the DHHS. I say to my friends, whether or not you support the Affordable Care Act, Sylvia is not coming here to change your minds. She is not going to tell you: I am going to tell you why you should be for it, and you are wrong if you are not for it. She is not going to do that. She is going to make the system work. She is going to be following the law and listening to everybody—those who support it and those who do not support it—and making adjustments and recommendations. I trust that she will take good, solid recommendations to the President: If change is needed, this is where we need it. If this is not working, this is why it is not working. If the numbers don't add up and we cannot afford it, we will make adjustments to make sure it does work so all Americans can benefit.

I come to the floor because I know Sylvia Mathews Burwell. I know where she comes from. I know her family. I

know her friends. I know her town. That speaks volumes. As I said in the opening, we are all products of our environment. Sylvia Mathews Burwell is a product of her environment, which is as nurturing and loving and caring as any one of us could ever hope for. To have that quality of a person who is going to be serving at the highest level is something I am very proud of—not just because she is a West Virginian but because she is such an accomplished person and she wants to give something back. She has lived the American dream. Her parents made that come true for her, and that is who she is.

I would ask all of my colleagues, when they are voting, who do you think would have better values, who would have the ability, and who has the knowledge and the experience to make sure there is fairness and bipartisanship? Every person is going to be listened to, and she will give a direct answer as to exactly how she has come to a decision. That is all you can ask for. When you have an opportunity to get somebody at that level in the private sector, you would jump all over it. You would do whatever it would take to get somebody with her qualities.

In public service, we have such a hard time today recruiting the young, recruiting this new crop of leaders. Some of them will be Senators, some of them will be Congresspeople. They are going to be leaders in their communities. They care at a young age. We have a hard time recruiting this younger crop of people, and when we have it, we better hold on to it.

We have a chance to hold on to Sylvia, to take us to a new level where health care could be affordable for the masses. We could have a healthier population. We don't have to rank 43rd in the world as far as wellness and longevity. It shouldn't be that we are spending more money than anybody else and not getting results. We need somebody like Sylvia Mathews Burwell, who could put all of this together and make sense out of it because she comes from a family and a community that is all-West Virginian and all-American.

I say to my colleagues, I hope you will vote in favor of Sylvia Mathews Burwell and show that we can come together, we can work in a bipartisan fashion and pick the best person for the job—not because they are Democratic or Republican or Independent or have any political affiliation but because they are the best qualified person for the job.

I would say thank you to all of my colleagues for allowing me to give a little bit of insight into a most amazing young lady, a mother, a daughter, and a loving friend to all who really gives all she can.

Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURPHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Madam President, I come to the floor to speak in support of Sylvia Burwell's nomination to lead our efforts at HHS and to follow up on the comments of her great friend Senator MANCHIN.

I would like to add two points to what I think was a great presentation by the Senator from West Virginia. We rarely get someone who has this kind of background in both the public and private sector and of course who is perfectly suited for a tour of duty at the helm of the Nation's largest public-private partnership.

HHS is obviously the payer for our Medicare Program and for much of our Medicaid Program, but they are doing business with literally hundreds of thousands of private entities and private companies all throughout the country—primarily health care practitioners from the east coast to the west coast—and the Affordable Care Act is an enormous private-public partnership. We expanded coverage through both the traditional Medicaid Program and also through millions of people—8 million and counting—who have signed up for private insurance with a little bit of help from their government through tax credits. It is this background that she has on both sides of the public-private divide that I think will put her in a perfect position to lead this agency.

When she came before the HELP Committee, I was particularly pleased that she was very willing to be flexible and aggressive in her work with Governors throughout the country who have not yet expanded Medicaid. I think there is growing willingness on behalf of many Republican Governors to look at some innovative ways to expand Medicaid, and Sylvia Burwell is the perfect Secretary to work with Governors to find a way—perhaps with subsidies—that will help people in the lower income brackets afford private insurance that could capture those 5 million individuals across the country who do not have access to Medicaid because their States have not expanded it.

I wish to spend a few minutes in the context of this debate answering what I imagine will be a growing chorus of concerns and criticism from our Republican friends regarding some of the new rate announcements from exchanges all across the country. It has been hard to follow a lot of the criticism of the Affordable Care Act because it seems as though it mutates on a pretty regular basis. It started out with claims that the Web site could never work given its initial rollout problems. Of course it is working very well today.

Another criticism was that nobody would sign up for this new benefit because it was not affordable. We hit 8 million in terms of those who signed up for private insurance.

They said young people would not sign up. Private insurers are telling us their mixes of enrollees are exactly as they hoped, especially with respect to the young people signing up.

Then they said people would not pay their premiums. In a House hearing about 1 month ago, the private insurers said that in fact 80 to 90 percent of people were paying their premiums, which is comparable with the non-ACA plans.

Of course, there was the general claim that it will bankrupt the Treasury, even though it is saving us trillions in terms of deficit savings as well as savings to the overall health care spending line items of the Federal Government.

Now the critique is that these rate increases are unjustifiable as insurers are getting ready to offer rates on the new exchanges coming out for open enrollment at the end of this year.

First of all, it is important to note that there are a lot more insurance companies offering health care on these new exchanges. Connecticut will get at least one new entrant. New Hampshire, for instance, went from one insurer to five insurers. There is very good news coming with the new exchanges. There will be a lot more options because the insurers have figured out it is a pretty good deal for them as well as their consumers.

It is important to have a little bit of context. I have a couple of examples of the kind of premium increases that have been asked for by private insurers all across the country in the last several years. In 2010, Anthem in California proposed a 25- to 39-percent increase in premiums. Again in 2010, Anthem asked for a 23-percent increase in Maine. The year before in Michigan, Blue Cross Blue Shield asked for increases up to 56 percent for some populations.

The reality is that on average we have seen a premium increase for the individual market of 15 percent or above over the last 10 years. That is not good news, but it does provide some context for the requests for premium increases we are going to see in the exchanges this year. Actually, the reality is that since the law passed, there has been a fairly precipitous decline in the number of premium increases above 10 percent that have been requested by private insurers. There are less requests for premium increases above 10 percent today than there were in the corresponding period before the Affordable Care Act was passed.

Just because the rate increases that are being requested—or may be requested—as we roll out the next year of open enrollment for the State-based exchanges may be below the historical averages of the last few years, that certainly is not any reason for people to jump for joy. Fifteen percent is unaffordable, fifty-six percent is unaffordable, and 10 percent is still unaffordable.

It is also important to note some of the protections that are in the bill. For

instance, one of the most important provisions of the Affordable Care Act that very few people have noticed is the provision that says that an insurer has to spend 80 percent of all the money it takes in on care. If at the end of the year they have not spent 80 percent of the money they have taken in from ratepayers and premium payers on direct care, then they have to rebate money to consumers.

Thus, if these premium increases are above what is justified based on the actual experience, there is going to be a rebate paid to ratepayers. Those rebates thus far have saved patients and consumers all across the country \$5 billion, and it is a significant, historic protection against unjustifiable premium increases that are not backed by actual experience in terms of claims paid.

The protections are even broader. While rate increases are not new, what is new is that consumers are back in charge of their health care again. Ten years ago insurers were charging 15 percent, 20 percent increases and they were also denying health care to millions of Americans who were sick. In some parts of the country they were charging women 50 percent more than what they were charging men. They were putting annual limits on health care coverage that ended medical insurance for many of the sickest individuals and families all across the country. All of those abuses, under the Affordable Care Act, are history.

While I will admit we still have work to do to bring down the cost of health insurance in this country, at the very least today consumers are back in charge of their health care, the worst excesses and abuses of the insurance industry are no longer permitted.

While I want to see a day when health insurance premium increases are 2, 3, and 4 percent, what we are seeing thus far in the wake of the passage of the Affordable Care Act is premium increases that are less than the historical average before the law was passed.

Those are the facts. I know that is not solace for individuals who are receiving these premium increases, but what we have seen are premium increases coming down and not going up since the Affordable Care Act was passed.

There is still an enormous amount of work to do. The news is generally very good. More people are being enrolled in the Affordable Care Act than what was expected. Over the last 6 months alone, the rate of uninsured individuals in this country has come down by 20 percent. Medical inflation is at a near-term historic low. Whether it be infection or readmission rates, outcomes are getting better.

Our next Secretary of Health and Human Services will have a lot of work to do to continue to perfect this law, but she is going to have a lot of good work and a lot of good outcomes upon which to build, based on her experience in both managing private sector enti-

ties and large public sector entities. Even with these challenges, Sylvia Burwell is the right choice for HHS, and I hope we will confirm her in a big vote tomorrow.

I yield back.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I come to the floor to discuss the nominee for Secretary of Health and Human Services because as a physician I am very concerned and want to make sure Americans can get health care. I think getting care is actually much more important than getting the insurance component of that, but that is nothing new, and I said that to the President. In so many ways, the President has actually offered empty coverage but is not actually providing an opportunity for care for people. We have seen situations where people are paying higher premiums, higher copays, and higher deductibles, all of which are the many side effects of the President's health care law.

When I hear my colleague from Connecticut make reference to rates going up, let's face it. What the President of the United States said is that premiums would drop \$2,500 per family by the end of his first term. The President didn't say, well, it will not go up as fast or that it will go up some, but don't worry about it. The facts are that people are continuing to be hurt by the health care law, and much of it is as a result of the expense of the law.

Last week USA Today had a report that said: "Many employees hit with higher health care premiums." They go on to say:

More than half of companies increased employees' share of health care premiums or copayments for doctors' visits in 2013. . . .

Why? Because of the health care law. What other things have businesses that are trying to provide health insurance for their employees had to do? Thirty-two percent of the time the businesses delayed raises for the individuals because the cost of insurance under the President's health care law has gone up so much. People who are concerned about take-home pay are getting hurt by the health care law.

According to this USA Today report, 22 percent eliminated or cut back on benefits, and 21 percent of these folks were cut back from full-time work to part-time work. That is obviously a hit to somebody's take-home pay.

The report says health care premiums have increased 80 percent since 2003, nearly three times faster than wages and nearly three times faster than inflation. The health care law has actually failed to do what the President promised when it comes to actually providing care and affordable care.

As I look around the country, it is interesting to see what is happening. There was a report out very recently about hundreds of thousands of Iowans who don't have coverage. The report goes on to talk about a woman who said she drove a half hour from

Mitchellville recently to seek care for flu-like symptoms at a free clinic in Des Moines. She is an assistant manager of a convenience store. She has been offered insurance by her employer but would have to pay \$111 every 2 weeks for her part of the premium, and she said: "I can't afford that. . . . There's no way on Earth."

Our colleague from Connecticut said it is working. It is not working, and it is because of the mandates of the law, such as the mandate that people have to get insurance that the government says they need as opposed to what may be good for them or their family.

The woman, Reinna, said she heard most Americans are required to have health insurance this year or pay a penalty. Democrats who voted for this said if someone doesn't buy the insurance, they have to pay a penalty. She heard that and learned it was equal to 1 percent of her income.

According to this article from the Des Moines Register where they had their primary elections yesterday, in Iowa, the Des Moines Register: The lady laughed ruefully at the prospect. "I don't care. They can fight me for it."

So this is a woman in Iowa, knows about the penalty, knows about the mandates, and she would say to my colleague from Connecticut who was just on the floor that it is not working for her.

She bristled at the new requirement to obtain insurance. She said, if we could afford it, do you think we would be standing out here? Of course, where she was standing was in a line for a free clinic, nodding at a half dozen others in line on the sidewalk waiting for the free clinic to hold one of its twice-a-week sessions.

I come to the floor today, as I have repeatedly, to talk about the issues of the health care law as a doctor trying to make sure patients get the care they need from a doctor they choose at lower costs, and seeing that the President's health care law has failed miserably because so many people have been hurt by this health care law. They have had their insurance canceled, even though the President said, Oh, no, it won't happen. He said, If you like what you have, you can keep it. National folks who assessed this called that the lie of the year.

We also see that many people cannot keep their doctors, and they are finding out that their copays are higher, their premiums are higher.

It is interesting, because it is affecting people in so many different ways. Minnesota is another State where there has been a lot of debate and discussion about the health care law. The headline in the Mankato Times: "Minnesota Schools to lose more than \$200 Million because of ObamaCare." My colleague from Connecticut just said it is working. Well, if it is working, why are the Minnesota schools losing \$200 million because of the health care law? The article says: State Representative

Paul Torkelson said the wasteful spending on ObamaCare that has left many taxpayers outraged will soon be making a significant impact on Minnesota's schools—a significant impact on Minnesota schools. According to documents released by Minnesota's management and budget office, over the next 3 years, the total unfunded costs associated with Affordable Care Act compliance will cost school districts statewide at least \$207 million.

It is troubling news for our schools, the State representative said. This is \$200 million that school districts won't be able to use to hire more teachers or improve their educational programs. This is an unneeded expense that does absolutely nothing for our students.

The senator concludes by saying: It is pretty sad when schools are forced to prioritize ObamaCare compliance over the education of our children.

So I come to the floor when I hear my colleague from Connecticut saying it is working to say it is not working all across the country. It is not working in so many ways that the President said it is. The President said Democrats should forcefully defend and be proud of the health care law. I don't know how a Senator can stand up who voted for this and be proud of what we are seeing happening to school districts all across the State of Minnesota.

The President continues to tout some number of people who signed up across the country, and I always ask, How many of them actually have insurance?

In Oregon, a story just out in the last week or two, in The Oregonian: Thousands have not paid premiums for Cover Oregon health policies, placing coverage at risk. So in spite of what my colleague from Connecticut may have said, this article says a large number of people who have signed up for private health insurers through the Cover Oregon health insurance exchange have not paid their first month's premiums, meaning they are at risk of going without coverage through November.

More than 81,000 people went through Cover Oregon—either through paper or electronic applications—to select a private plan. We know about the failures of that exchange. We know that the FBI, I believe, is investigating it. Of those, 5,000 have already canceled policies or been terminated for lack of payment. Thousands more have not yet paid their first month's premiums, meaning they have not completed their enrollment, according to the carriers.

The President talks about the numbers of enrollees. I don't know how many people actually paid to continue—to consistently say they have insurance, and consistent insurance, all the way through. Insurers say anywhere between 66 to 80 percent of consumers have paid, meaning anywhere from 20 to 34 percent have not. So it is hard for me to say that things are working.

It is interesting. Unions, which have supported the law, have come out with

concerns. UNITE HERE, a union in Las Vegas, representing many of the casino workers, 2,000 housekeepers, waiters, others at 9 of 10 downtown Las Vegas casinos, are concerned about the cost. One of the union leaders has said, when we first supported the calls for health care reform, we thought it was going to bring costs down.

That did not happen, and that is why I am here on the floor.

Mr. MERKLEY. Mr. President, would the Senator yield for a question?

Mr. BARRASSO. Certainly. Absolutely. Yes, Mr. President.

Mr. MERKLEY. I thank the Senator. I couldn't help but hear outside the Chamber the Senator from Wyoming talking about Oregon. So I just wanted to ask, in Oregon, 400,000-plus people have signed up for health care through the Affordable Care Act. Some of those may have had insurance before. We are not sure if it is 25,000, maybe it is 50,000; there are conflicting numbers on that. But is it a good thing or a bad thing that 350,000 or more individuals have gained access to health care through this plan?

Mr. BARRASSO. I would say that many people in Oregon have been helped and many have been hurt. That is the problem with this health care law. There are people who have been helped, absolutely. I just believe that the costly side effects, the harmful side effects, the dangerous side effects of this health care law have actually hurt people. So for people who may have been helped, there are as many, if not more, who have been hurt through higher premiums, higher copays, loss of their doctor, can't go to their hospital—all of those things—plus, at the expense of significant amounts of taxpayer money wasted. I think we are seeing that situation in Oregon right now with potential lawsuits being filed, FBI investigating, whether there was oversight, and hundreds of millions of dollars, as reported in today's Wall Street Journal, of wasted taxpayer dollars. Oregon, I believe Massachusetts as well; Maryland, Minnesota, States that I have been talking about here.

Mr. MERKLEY. Could the Senator explain how it is for those 350,000 or more—maybe 400,000—who have newly gained access to health care, how they have been hurt by gaining access to health care?

Mr. BARRASSO. I am referring to people who have been hurt by the health care law all across the country. I worry about the more than 5 million people who have lost their coverage as a result of the health care law.

The PRESIDING OFFICER (Mr. COONS). The time of the Senator from Wyoming has expired.

Mr. BARRASSO. Thank you. I am merely trying to respond to my colleague.

Thank you, Mr. President. I yield the floor.

Mr. MERKLEY. I thank very much the Senator for responding to my questions.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut.

STUDENT LOAN DEBT

Mr. BLUMENTHAL. Mr. President, I am very proud to begin a conversation on the floor with a number of my colleagues about one of the most urgent and pressing challenges that face us as a body here in Washington, making laws, but even more preeminently to families and students around the country who literally, right now, are sitting at their kitchen tables, in their living rooms, in family gatherings, trying to find a path forward in financing their education, their children's education, their grandchildren's education.

We must do better as a nation. We have to do better in giving a fair shot to them—to the innovators and entrepreneurs and investors of the future—the people who will power our economy with ideas and energy as a result of college education, which is part of the American dream—part of giving everybody in America a fair shot at that dream.

I have been doing a lot of listening over these past weeks, over these past 3½ years, and over three decades in public service. I think listening is one of the most important things we do as public officials. There is an old saying that God gave us two ears and one mouth so that maybe we do a little more listening than talking. When I talk to students—and I have been doing a lot of that at commencement addresses and classrooms and roundtables around the State of Connecticut—I tell them I want to listen. What I have been hearing at Ansonia High School and Windham High School and The Stanwich School—high schools around the State of Connecticut—is they are seeing dreams crushed by the cost of college education. The pages who are here today, our children, when we go home at night can tell us about how devastating these costs are, how their hopes and aspirations for the future are constrained and sometimes crippled financially by the cost of college education. We must bring it down. The costs of tuition and expenses must be reduced.

At the same time, we need to find better financing options for our students. That is the reason we are reintroducing today the Bank on Students Emergency Loan Refinancing Act, with some minor changes, because we have listened to people who have told us improvements that could be made in that measure. But, most importantly, we have listened to students, both the high school students and college students, who are telling us about dreams deferred and dreams devastated by the costs of college education. So we must make sure that the \$1.2 trillion that overhangs them and our economy is addressed.

This measure would help the students of today and tomorrow. It would help the students of today because it offers promise for the future, and the

students who already have debt would be able to reduce that debt. Those students who are paying 7 or 8 or 10 or 11 percent would be able to reduce it, refinance, not just—we all do refinancing of our home loans and our car loans right now. There is no possibility of doing it with student debt loan, and that is what this measure would enable them to do. For folks who have graduated and who cannot start families, begin businesses, buy homes, contribute to our economy, it would enable them to accomplish those dreams rather than deferring or abandoning them.

I am often heartbroken, as I talk to people who have these debts. They did the right thing; they played by the rules, went to college, and now find themselves crushed by that debt. Those who are laboring under these crushing debt loans often have pursued careers in medicine and other professions such as nursing that would enable them to do an enormous good for this country if they were helped, if that crushing burden were somehow reduced. Giving them a fair shot is good for our economy because it will increase consumer demand. It is also good for our social fabric—literally economically, socially, and physically good for our health by enabling some of those doctors and nurses to work in communities that are underserved right now. We ought to give them public service options, enable some of that debt to be paid down or paid off through community and public service. But the measure I think we can agree is urgent and pressing, where there ought to be consensus, is enabling the commonsense refinancing of current debt.

There are other measures that are vitally important, such as clarifying and requiring more accuracy and truth in the forms that are given to students at the time they take these loans so they know what their debt will be; enabling more of them to have grants rather than loans, bringing down the cost of tuition; enabling more public service options as a means to pay down or pay off debt. But let's focus right now on what is clearly an imperative—a moral imperative and a social imperative for our Nation—to enable more refinancing right now. For federal student loans that were originated in the years between 2007 and 2012, the government will make \$66 billion. Mr. President, \$66 billion. That money goes into the U.S. Treasury fund when, in fact, instead it should be invested in our students and our communities.

I urge my colleagues to join in this effort and to focus on those additional measures we can achieve.

I see my colleague from Illinois is here. He has championed and I have been pleased to join him in efforts to enable student debt to be discharged in bankruptcy. One of the great, gaping gaps in our present bankruptcy system is that students cannot find any relief from this student debt. Almost every other form of debt can be discharged from bankruptcy but not student debt.

So there are other measures we can and should achieve, but a fair shot for everyone ought to begin right now with this measure on the floor, enabling students and former students to refinance so they have the best shot at paying off those loans and a fair shot at the American dream.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Connecticut for referencing a measure in which we both share an interest. He is right; a student loan is not like another loan. It is not like the mortgage on your home. It is not like the money you borrowed to buy a car or a boat or a line of credit you might have needed at some point in your life. A student loan is a debt that cannot be discharged in bankruptcy. No matter how bad things get, you are going to carry that debt with you to the grave, and believe me, they will pursue you all the way.

We just had a report in the Wall Street Journal. There was a grandmother receiving Social Security benefits. They levied her benefits because grandma decided to befriend her granddaughter by cosigning her student loan, on which her granddaughter defaulted. So now grandma finds her Social Security check being levied to pay off her granddaughter's student loan. It never ever ends.

So I support my colleague from Connecticut. He and I both believe this ought to change. This is awful. For goodness' sake, we have to have some recognition of what is happening with student debt today. It is not the way it used to be. Those of us fortunate enough to get the early government loans—the National Defense Education Act, that is how I went to college and law school. Scared to death when the Soviets launched sputnik, this Senate and the House created a loan program for kids like me from East St. Louis, IL, to borrow money to go to college. I had to pay it back over 10 years with 3 percent interest. I did not think I ever would, but I did. Now look at what students are faced with.

Hannah Moore, of the suburbs of Chicago—I have gotten to know Hannah. I want to tell you Hannah Moore's story. This young lady went to community college first. A good idea, right—affordable, a local college. Then she decided to sign up at the Harrington College of Design. They were going to give her a special education. Well, they sure as heck did. The Harrington College of Design is a for-profit college. Hannah Moore signed up for the course. It is owned by Career Education Corporation. It is a for-profit school. You ought to know something. Career Education Corporation is under investigation in 17 different States for their activities in luring students into worthless college courses. Hannah Moore was one of those victims.

What happened to Hannah? Well, at the end of the day, when she finished

her so-called course at the Harrington College of Design, she ended up \$124,000 in debt, and it is growing. She cannot keep up with it. She cannot earn enough money to keep up with it. Do you know what has happened? She has moved into her parents' basement. That is where she has to live now. Her dad has come out of retirement to help her pay off the loan. That is what she faces.

So we are going to do something about it with the help of a few Republicans. I hope a few of them will stand and join us. We are going to give students across America who are not in default an opportunity to refinance their college loans with lower interest rates. Those of us who have had a few mortgages in our life know what that means—a lower interest rate, a lower payment or more money reduced from the principal. It is the only way some of these people ever get out from this burden of student debt. Senator ELIZABETH WARREN put the bill together. I have cosponsored it with a number of others. We think this is the only way that students deep in debt have a fair shot at a future; otherwise, they are going to be swamped with debt and never get out of it.

The prospect of going back to school for Hannah? Impossible. She cannot borrow money for that. Buying a car? Out of the question. Her own apartment? No, sorry, you cannot do that either. I have met young couples who have said: We are putting off raising a family because of the debt.

Now we have a bill that is going to be introduced by Senator WARREN, brought to the floor, and we need Republican support. We cannot pass it without Republican support. So far not one Republican has joined us—not one—for refinancing college debt. But that can change. It will change if our Republican colleagues will simply go home to their States and have a town meeting and ask the people in attendance: What do you think; should we give college students a lower interest rate? Should the Federal Government make less money off these college students so they can get out from under this debt once and for all?

They will find what I found in Illinois—overwhelming support for this approach.

So if we are going to do something in the Senate Chamber that really affects the lives of working families—where young people and their parents can say, well, thank goodness somebody in Washington is finally listening to problems families face—this is it: refinancing college student loans. This is our opportunity to give a fair shot to kids from working families all across America, the kind of opportunity I had, the kind of opportunity millions of others have had.

There is a lot more we need to do to clean up this mess when it comes to college loans and when it comes to the schools that are ripping off students, but let's start at the right place. Let's

help students in debt get out from under that debt.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank my colleague from Illinois.

ORDER OF PROCEDURE

I ask unanimous consent that Senators be permitted to speak for up to 5 minutes each during the majority's controlled time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I would like to yield now to Senator MERKLEY and then to Senator SCHUMER.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Thank you very much, Mr. President.

I am honored to be here joining Senator BLUMENTHAL, Senator DURBIN—Senator BALDWIN is going to be here—Senator SCHUMER, and many others to come and address this important topic, and this topic is the college loan debt trap.

I have a letter here from Stephanie from Oregon, and she writes to me about the trap she and her husband feel they are in. She says:

I am writing to you as a potential investor into Oregon's economy and the economy of the United States. Unfortunately, however, I will not be able to be this investor until mine and my husband's Private Student Loans . . . are paid off. We owe a little less than \$100,000 in . . . Student loans and pay \$1,100 per month. We will pay this amount for the next 12 years. Because of our student loans and the 7-7.2% interest [rate] they are set at, we cannot afford to purchase a house in the neighborhood we love . . . cannot buy a car, and cannot even fathom starting a family. We can't even afford to go on vacation, whether that is around Oregon, or outside of that to the many other wonderful states and countries. We pay rent, utilities, and try and buy good, healthy food, but in order to even afford these basics I have to work 2 jobs at 7 days a week.

She goes on later to say:

It has been nothing but spinning in place. . . .

This is a growing reality for millions of Americans who have graduated with student loan debt the size of a home mortgage and higher interest that make these huge student loans the equivalent of a millstone around their necks. When our aspiring young adults in America—who have graduated, who have gone on to start their careers—when they cannot afford to buy a house, that enhances inequality in the United States of America because home ownership is the major vehicle by which middle-class families in America establish a nest egg, establish wealth, establish a slice of the American dream. What is more joyous in life than having children, being able to raise children? That is the most tremendous, tremendous experience. But she is saying she and her husband cannot even think about starting a family.

The picture was quite different when I was graduating from high school in

1974. My father—when I was in grade school, we lived in a working-class neighborhood—had taken me to the school doors and said: Son, if you go through those doors and you work hard, you can do just about anything here in America.

Well, that was a message about the fact that there is a pathway to thrive, a pathway to fulfill your potential, a pathway to pursue your dreams, and in the process of doing that you are strengthening our entire Nation because when you aspire to your potential, when you aspire to your dreams, then you also find yourself giving back in all kinds of other ways, including having enough income to pay a Federal income tax and contribute property taxes and revenue, as well as the talents or fruits of your profession.

Well, I still live in that blue-collar community. My kids still go to the same high school I went to. But the message to our students today is very different. They are familiar with many families such as Stephanie and her husband. They are familiar with the fact that student tuition has gone up faster than virtually anything else in our society. It is a much bigger share. I think a rough estimate is about 2½ times the amount in terms of a working income than it was when I was going to school, starting college. Let's make this comparison: In Germany, the cost of a year in college is around 4 percent of the median income. In the United States of America, the cost of a year in college is about 50 percent of the median income. Well, what a difference between less than \$1 out of \$20 and \$1 out of every \$2. What an incredible difference. So, at a minimum, shouldn't we be acting today to enable those who have these high-interest student loans to refinance them to a reasonable low rate? Shouldn't we be able to do that?

The PRESIDING OFFICER. The Senator's time is expired.

Mr. MERKLEY. I ask unanimous consent for 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MERKLEY. Thank you, Mr. President.

I will wrap up simply by saying that this is common sense. Let's lower this burden, and then let's go on and do much more: control the cost of tuition, raise the impact of Pell grants, and pursue low-interest student loans as a tool for our students from here going forward.

Mr. President, I am delighted to have had this chance to speak to a fundamental challenge to young Americans in every State of the United States of America.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first let me salute my colleague from Connecticut for bringing us all together to talk about this important issue, the good words of my colleague from Oregon—always on the money, always understanding what average folks need

and have to go through—and, as well, our sponsors of this legislation. I salute Senators WARREN and FRANKEN, who are our two lead sponsors.

The bottom line is very simple. It is amazing to think that there are 40 million Americans and their families—at a time when interest rates are at about a record low—who are paying 7 to 14 percent on their student loans. It is amazing to think that the average student graduates with over \$30,000 of loans on his or her back. It is amazing to think that so many of our young people are living at home because they cannot afford not to because of student loans. Thirty-six percent of all individuals between 18 and 31 live with their parents—the highest percentage in 4 decades.

Why should people be paying more? And even more outrageous, guess who is making the profit much of the time? Sometimes it is the private banks. That is bad enough, but sometimes it is the Federal Government. For the Federal Government to charge people nearly double the going rate for their student loans is so unfair.

So we Democrats are hoping to give people a fair shot, a fair shot at being able to repay the cost of college at a reasonable interest rate. That is all we want. We are dedicated to helping the middle class, to helping working people, to helping people who do not have so much money get a fair shot at living decently well, the way they always have in America but in a way that is beginning to decline.

Our colleagues on the other side of the aisle, we would beg of them not to stand in the way but to join us. How do they defend charging those who have graduated from college 7, 10, even 14 percent for their student loans?

Now, we just got a CBO score. Our bill, which is paid for by simply the Buffett rule, which says that someone making over \$1 million should pay the same rate as their secretary, as an average person.

Well, that is how we pay for it. Again, I cannot believe my colleagues on the other side of the aisle would disagree with that. Anyway, we have a \$21 billion net positive on our bill. So for anyone who is worried that we do not pay for the bill, we actually pay for the bill and return some money to the Treasury. So a fair shot is what is needed here, a fair shot for everyone to afford college.

Last year we lowered the interest rate for people already in college. But what about the 40 million who are out of college and are saddled with high interest rates, people who got out of college before 2010? Let's not forget the effect this has on the rest of the economy and new homes. Young people are not buying homes at the rate they used to—first time home buyers. Why? Well, one of the reasons—we cannot quantify how much yet, but we will be doing that—is that they are saddled with so much student debt at high interest rates.

So it affects our entire economy because construction jobs are not up to what they should be. A large part of that is because people are not buying homes the way they used to. So the bottom line is, it is very hard to resist the logic of the proposal that Senators WARREN and FRANKEN have put together.

Here are some numbers from my State. Fifty-four percent of Long Islanders between the ages of 25 and 29 live at home with their parents or relatives—more than one in two. Amazing. That is the American dream, to be able to get out of college and go live on your own, find a job, maybe find the person you want to spend the rest of your life with. That is the American dream. It is a lot harder to do that when you are living at home, as much as we all love our parents. But because of student debt, because of high interest rates on student debt, people are forced to do that.

So, again, I thank all of my colleagues who have joined in our fair shot effort—our fair shot effort on minimum wage, our fair shot effort on pay equity, and our fair shot effort on college affordability. We will continue to fight as hard as we can to see that the average middle-class family is finally given a fair shot. We hope and we pray our colleagues on the other side of the aisle will not stand in the way.

I know my colleagues from Connecticut and from Minnesota, who has been a great leader on this—and very few in America, let alone in this Senate, have such an understanding of the needs of average families and the middle class than the Senator from Minnesota. So I am happy to yield the floor so she may say a few—what I am sure will be very prescient—words.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I appreciate the words of the Senator from New York, and also his keen focus on these issues for the middle class, giving everyone a fair shot.

I rise today to talk about the problems of student debt in this country and the effects that it has on millions of Americans. I think we all know that it is not just students, as much as that is the first group we think about—students—it is also their parents. Those are the ones I hear from a lot, and how hard it is, and how they have that next kid coming.

While maybe they were able to patch together loans and some income to help one kid go through college, the second one comes along and it is incredibly difficult. They literally have this Sophie's choice about which kid they are going to send to college or what are they going to do with the third kid. It just should not be happening in America today.

I thank Senators FRANKEN, BLUMENTHAL, and BALDWIN for bringing us together on the floor, as well as Senators HARKIN, WARREN, and DURBIN for their leadership on this issue. In the

United States we appreciate the value of education. We know it leads to higher-paying jobs, better health, and even longer lives. I know the value of education. My grandpa worked 1,500 feet underground in a mine in Ely, MN. He was not able to graduate from high school because when his parents died, the two oldest boys had to go to work in the mines. They were only 15 years old. That is what they did. They went to work in the mines. They were able to keep the entire family together.

The youngest girl had to go to an orphanage in Duluth for a while, and then they were able to bring her back. Those two oldest boys never got to graduate from high school, never went to college, and worked in the mines their entire life, worked underground at a very dangerous time in our country. When the sirens would go off, they would not know whose family member had been killed.

That is what my grandpa did. He wanted a better life for my dad. He literally saved money in a coffee can in the basement of their house so that he could send my dad to college. Then my dad went to college and became a newspaper reporter. My mom, during the same time period, growing up in Milwaukee during the Depression, ended up going to Milwaukee Teachers College and then came to Minnesota and was a teacher.

Here I am standing today on the Senate floor, the daughter of a teacher and a newspaper man and the granddaughter of an iron ore miner. It would not have happened without education. It would not have happened without my mom's parents struggling to make sure she went to college, and without my grandpa saving that money in a coffee can after working underground in the mines and never being able to go to school himself.

That is what I know about education. That is a story we hear again and again from people in this country. Higher education provides students with the skills they need to be competitive in today's global economy. At a time when more and more jobs require some form of postsecondary school, we cannot allow cost to be a barrier to that opportunity. We cannot allow only the wealthy to be able to send their kids to college. It is really that simple.

This country was built on the middle class. This country was built on this idea that no matter where you come from, if you are in a little iron ore mining town in northern Minnesota, that there is a chance that your kid can go to college. My dad did not start at some fancy college. My dad went to a community college which is now Vermilion Community College, which was then Ely Junior College, and got his 2-year degree. Then he went to the University of Minnesota. Back then it was so incredibly affordable. He would still send his laundry back to my grandma in Ely, and she would do his laundry and she would send it back. He got by on barely nothing.

But he went on from that degree at the University of Minnesota to become a journalist and interview everyone from Ginger Rogers to Mike Ditka to Ronald Reagan. It all started in that hardscrabble mining town. That is what education is about in this country. Outstanding student loans now, they are not like something you can fit in a coffee can. Outstanding student loans now total more than \$1.2 trillion, surpassing total credit card debt and affecting 40 million Americans.

One in seven borrowers defaults on Federal student loans within 3 years of beginning repayment. Other borrowers are struggling too. Thirty percent of Federal Direct student loan dollars are in default, forbearance or deferment. It costs a lot of money. When there are not high-paying jobs right out of school or when kids have really high costs from school, and when they are in a job that maybe eventually they will get enough money, they have trouble paying off their loans.

But make no mistake, student loan debt impacts everyone, not just students. Student loan debt hangs like an anchor around not just individual students but around our entire economy. It is dragging us down. Graduates with high debt may delay making key investments like saving for retirement or getting married or buying a home. Student debt may even impact a person's career choices, by deterring some graduates from taking jobs in crucial fields like education.

According to a report I released as chair of the Joint Economy Committee on the Senate side, Minnesota actually has one of the highest rates of student debt in the country. Seventy percent of the recent graduates in Minnesota have loan debt, compared to 68 percent nationally. So it means a lot in our State.

The good news is that there are actions we can take—

The PRESIDING OFFICER. The Senator's time has expired.

Ms. KLOBUCHAR. I ask unanimous consent for another 30 seconds.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Last summer we acted to prevent the interest rate from doubling. We have also introduced the Bank on Students Emergency Loan Refinancing Act. I urge the Senate to consider this very important bill so more students can manage their debt and build a better future for themselves and their family. I am proud to support this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, we need to rethink financial aid in this country. We need urgent action if we are to reform our system, to return to the

roots, the ideals that made college affordable for generations past, and hopefully for this generation and generations to come. Back in the 1970s and 1980s when several Members of today's Senate were college students, the Pell grant, which is the cornerstone of our Federal student aid programs, covered as much as 72 percent of the cost of attendance at a 4-year public college.

For the 2014–2015 academic year, the maximum grant is expected to cover less than one-third of the cost. Investing in things like Pell grants is critical to ensuring the doors to higher education remain open to all students with the talent and desire to pursue a college degree.

Young people today deserve the same fair shake that Members of this body got when we were undergraduate students, when grants and not loans covered most of the cost of college.

Now, I was fortunate enough at 17 to join the Army and attend West Point. So I did not have to face the rigors of financing college education. But everyone I know in my generation will tell you it was easier then because there was a strong Federal commitment to supporting men and women of talent and desire to go on to college. Ever-rising costs today are just pricing out a whole generation from college education.

We see more and more hard-working young people and their families falling behind as they try to pay for their degrees that were supposed to help them get ahead. In fact, an analysis of student loan debt by Demos predicts that today over \$1 trillion in outstanding student loan debt will lead to a total lifetime wealth loss of \$4 trillion for indebted households. Not only do people start off after college with great debt, but their ability to build assets in the future is also reduced. So it is a much deeper hole than even the initial debt.

Student loan debt is jeopardizing this generation's ability to buy a home, to start a business, to start a family, to do things that my generation took for granted after getting out of college. For the last 30 years, tuition increases have outpaced inflation. Outstanding student loan debt has quadrupled since 2003. It is time for action.

First, we must provide relief for borrowers who are currently repaying their loans. We must ensure that student loan servicers are held accountable for providing borrowers with accurate and clear information and the full range of borrower benefits they are due. That is why I was pleased to join Senator DURBIN in introducing the Student Loan Borrower Bill of Rights Act.

Even more important to families' bottom line is reducing their payments and overall debt burden. We should allow borrowers with high fixed-rate loans to refinance at the lower rates approved on a bipartisan basis under the Bipartisan Student Loan Certainty Act that became law last year. That is the premise of Senator WARREN's Bank on Students Emergency Loan Refi-

nancing Act which I am also very proud to cosponsor.

I hope my colleagues will let us vote on this proposal so we can provide relief to millions of Americans who are struggling under the weight of student loan debt.

We also have to demand more responsibility from colleges and universities. While student loan debt skyrockets, we are also seeing college executive salaries climb ever higher. Clearly institutions need to have more skin in the game when it comes to student loans. That is why I introduced, along with many colleagues, the Protect Student Borrowers Act, specifically with Senators DURBIN and WARREN. The Protect Student Borrowers Act will hold colleges and universities accountable for student loan default by requiring them to repay a percentage of defaulted loans. As the percentage of students who default rises, the institution's risk-share payment will rise. Essentially, they will now have an interest, and a real interest, in ensuring that their students take out appropriate loans and they have coursework that leads to remunerative employment after they graduate. Colleges can play a key role in all of these things. Today it is a spotty record. Some are very good, some are indifferent, and some are very bad.

The Protect Student Borrowers Act also provides incentives for institutions to take proactive steps to ease student loan debt and reduce default rates. Institutions can reduce or eliminate their payments if they implement a comprehensive student loan management plan—again, if they talk to their students, if they advise them what to do, if they help them manage this debt.

The risk-sharing payments will be invested to help struggling borrowers, preventing future default and delinquency, and reducing shortfalls in the Pell Grant Program. This money will stay in the system to help other students.

With the stakes so high for students and taxpayers, it is only fair that institutions bear some of the risk in the student loan program. I would argue a basic premise, that they will do a lot better as custodians and managers and advisers for the students when they have money at risk.

Right now, it is the students and their families who bear it all—and the government, if there is default. As a result, you don't have the active participation at the institutional level that could make a real difference.

In many respects, this is a lesson we learned, at a very expensive cost, during the financial crisis in the mortgage markets, where mortgage makers had no interest in who was borrowing money. They didn't care if they could pay it back, because the minute the paper was signed, they sold it off to the secondary market and they walked away to the next closing. We can't have that attitude pervasive in higher education.

We know there are many forces that are driving increases in costs in higher education, and one of the cost drivers is, frankly, the falloff on State contributions to public higher education. According to the State Higher Education Finance report, state spending per full-time equivalent student reached its lowest point in 25 years in 2011.

I have introduced the Partnerships for Affordability and Student Success Act to reinvigorate the Federal-State partnership for higher education with an emphasis on need-based grant aid. Remember back in the sixties and seventies, nearly 80 percent of the financing was grant aid. You didn't have to pay it back. You had a chance to get an education and start off without a lot of debt.

Simply put, I believe the States have to begin to renew their investment in education at the college level.

I urge the Senate to come together with a sense of real urgency on finding solutions to all of these issues, to move forward, and to give this generation and the next generation the same opportunity that many of us here took for granted in the sixties, seventies, and eighties.

I yield back the remainder of my time and I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I thank my colleague from Rhode Island, who has been such a champion and a leader in these efforts over so many years. Well before I came to the Senate, he was there working and fighting for more affordable loans for our students.

The comments that have been heard on the Senate floor over the past hour reflect a growing awareness and worry in the country, a worry about what happens to America in the future, whether we will leave a lesser America, and whether the American dream will be not only deferred but denied to so many students who are wondering and worrying right now about their personal futures as well as the future of the country.

These comments and this conversation will be extended over this day and the days to come as we prepare for a crucial vote next week on this bill. One of the chief authors of this bill, Senator WARREN, is to be thanked and commended. She will be on floor later today or tomorrow to speak for herself, but she has shown, through her career, how often people who most need this kind of help, whose finances most cry out for this assistance, are impacted, and in fact constrained in their futures by the big banks and lending institutions that take advantage of them—and, in this case, even the U.S. Government itself that is profiting off their backs—billions of dollars in profit at the expense of our students when we should be investing in them.

We have an obligation and a historic opportunity to make things right for young people and older people, whose

present lives are impacted and whose futures are constrained by the daunting and financially crippling overhanging debt. It is an overhanging debt that impacts our economy because it prevents the entrepreneurs from taking risks. It prevents young people from buying homes and starting families. It financially cripples our economy as well as those individual lives.

So in the light of self-interest, we ought to argue for all of us to support this legislation. For myself, I am going to be listening to those students who discussed their futures with me at Ansonia High School, Stanwich, at roundtables across Connecticut, at the commencements where I spoke, and the college students who spoke to me at Quinnipiac, or the law school students there who talked to me about how their present lives and their spirit, their hope for public service, as well as for gaining for themselves the promise of their futures, will be impacted and maybe put out of reach by the debt they have, not just hundreds of dollars or thousands of dollars, but tens of thousands of dollars and, for some, hundreds of thousands of dollars.

We can do better for them and for ourselves if we enable them to refinance. Right now, student debt is not only one of the few debts that is non-dischargeable in bankruptcy, but it is one of the few debts that is nonrefinanceable.

Let's treat these students as we would other debtors. In fact, let's give them a fair shot. Let's give our country a fair shot.

I am proud to support this legislation. I thank all of my colleagues who are here today, and all who will support—I hope on both sides of the aisle—this vote we will have next week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I rise for a moment to talk about the Sylvia Burwell nomination, pending confirmation to be Secretary of Labor at HHS, and also to talk about the Affordable Care Act, because you can't separate the two.

I have the good fortune of being on the Health, Education, Labor and Pensions Committee and the Finance Committee. The good fortune of that is it allowed me to twice be able to interrogate—and I use the word interrogate understanding its many definitions—Ms. Burwell over issues that were important to me both in the Health, Education, Labor and Pensions Committee, as well as in the Finance Committee.

I found her to be articulate, forthright, straightforward, and candid—something we haven't had in the Secretary of Labor-HHS for the last year or so. I am looking forward to having somebody in there who will be able to answer the hard questions. I might not like the answer, I might not agree with the solutions, but I like having somebody who has the intellect, the capability, and the willingness to commu-

nicate with Members of Congress, regardless of their party. So I will vote for Sylvia Burwell to be confirmed as Secretary of Labor and HHS, and I wish her the best.

No one should confuse that vote, however, for being a vote in support of the Affordable Care Act and what it is doing to health care in the United States today. I want to talk about that for a second. Some of these things I want to talk about are questions I asked Ms. Burwell in the confirmation hearing.

When I was on the Health, Education, Labor and Pensions Committee, and we did the markup in terms of the health care bill, we met for 69½ hours. I heard every debate on every amendment; I heard every debate on every philosophy; I heard every proposal that was made, and it became quite clear to me that the premise of that legislation, based on the President's recommendation, was diametrically opposed to my personal philosophy in terms of where government's role should be.

I think the President—and it has been said by the leader HARRY REID recently—thought a single-payer health care system was the right way to go. I think the Affordable Care Act is designed to drive America toward a single-payer health care system.

I would rather have a competitive private sector system that is on a playing field that the government makes sure is fair and level but that the winners and losers in health care become those who compete the best in terms of quality and service.

In fact, the intent of the ObamaCare act and Affordable Care Act has directed a lot of things to happen. Three of them were not good.

Premiums have gone up. The costs to the consumer have gone up, principally because taxes have been levied on the insurance industry. That is No. 1.

Access has been more limited and more restricted based on the Bronze Plan, the Silver Plan, the Gold Plan, and differences between the exchanges.

Third and foremost, there is a great uncertainty in America about what happens next and where health care is going, because the President has selectively given waivers and put off the impact of certain provisions of the law, while lifting up and actually repealing with his own signature and his own pen provisions that were in the law. So there is a lot of uncertainty.

Two things I want to focus on from the cost standpoint. One of them is what is called the HIT, the health insurance tax, which went into effect this year. This year \$8 billion in taxes were levied against small- and medium-size group insurance providers in the exchanges for health care. It is an arbitrary number that was used to help determine and pay for the Affordable Care Act, and it is assessed based on the market share of the companies.

Think about this for a second. The U.S. Government is taxing health insurance providers based on their market share of health insurance, and adding that cost to where? To the premium that is paid by the consumer.

It has been estimated that the premium cost is going to go up about \$512 a year for the average consumer, just in order for the moderately small- and medium-sized group provider to pay the fine or pay their share of the tax of \$8 billion. That \$8 billion in 2014, in 2019 goes to \$14.3 billion and will go up ad infinitum as it will continue to climb—which means costs will continue to climb.

Access has been restricted because a lot of people aren't playing in the system. A lot of specialty hospitals have chosen not to join the plans. That has meant that specialty care to a lot of children and adults is not available.

Another problem we have had is with navigators, and I want to focus on the navigator point for a second, because it fundamentally underscores my belief in the private sector.

For years I ran a business. It was a business where we had some employees but mostly had independent contractors. We provided group medical benefits for our employees, but only access to salesmen who would sell group plan health plans for independent contractors.

They got a commission when they sold a plan, when they provided the services, and the employee or the independent contractor in my company decided to buy. What we did in the Affordable Care Act—or what the Affordable Care Act and those who voted for it did—basically did away with all the salesmen in the country who were selling group medical plans to individuals and small businesses. Why? Because it had a medical-loss ratio maximum of 80 percent or 85 percent, meaning your medical costs had to be 80 percent to 85 percent of the premiums. Administrative costs could only be 15 to 20, and it counted the commission for selling the product as an administrative cost, which meant commissions weren't available to be paid.

So what happened? All the people in sales in terms of group medical insurance got out of the business and went to selling something else. What happened because of that? Navigators came about.

So we ended up hiring a bunch of unqualified, unknowledgeable, limited-talent people as navigators to offer to try and sell insurance under the new exchanges created by the ObamaCare act. What happened is sales of those policies were not very robust. In fact, it was very difficult for the President to get his minimum goal of 7 million people being covered. Why? Because the navigators weren't salesmen, No. 1; No. 2, they weren't as well educated as they should have been; and, No. 3, the States did not embrace it.

So that is the private sector solution that had been used for years and years

in our country; that is, independent agents making sales of independent insurance products through independent contractors. That has now gone away. They have to now go find an employee who is a navigator, who has no incentive, because they are on a salary and not a commission, to provide a plan or to sell a plan. They merely are there to collect their paycheck and offer information, if in fact somebody can find them.

My point is this: Ms. Burwell is taking on a serious challenge in terms of Labor HHS. The Affordable Care Act presents a lot of problems in terms of access, cost, and quality of health care for the American people that will only get greater as the years go by. We are going to take somebody of her competence and her candid nature to help us join together to see to it that what has become a major problem that looms for our country, the Affordable Care Act, is revisited to look at a new way to go back to the private sector, go back to competition, go back to a level playing field and out of the business of selective taxation, less access, more cost, and more bureaucracy. That is what we have with the Affordable Care Act right now. That is what is untenable.

I wish Ms. Burwell the best. I intend to be very aggressive and active in my work on the Health, Education, Labor, & Pensions Committee and the Finance Committee in trying to get to the bottom of some of the questions that have gone unanswered from the Department. I wish her the best, and I hope I get the answers to those questions when she is confirmed as the new Secretary of HHS.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

(The remarks of Mr. ROBERTS pertaining to the introduction of S. 2430 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ROBERTS. I yield the floor.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY REGULATION

Mr. COATS. Mr. President, this last fall Environmental Protection Agency Administrator Gina McCarthy embarked upon a national listening tour to gather feedback on possible new energy regulations that could be ordered by the Environmental Protection Agency's regulatory power. Notably absent from her tour across the Nation were the major coal-producing or user States.

Now, my State of Indiana was notably absent from that despite our request that she listen to what Hoosiers had to say about their source of energy, what it does for the state's economy, how it helps attract jobs to our State, and how it helps our residents to keep utility bills in line. So we were very disappointed that we were not included in that listening tour. Other States, surprisingly—or maybe not surprisingly—which are also coal-producing energy States were also bypassed. Apparently, they didn't want to hear from us.

I think on Monday we found out exactly why it was done that way, because in the latest installment of the administration's ongoing "war on coal" as it is described, Administrator McCarthy announced that the EPA is putting forward new rules on existing fossil fuel powerplants. These new proposed regulations are essentially an energy tax that will damage our national economy as well as the economy of Indiana and hike electric bills for every Hoosier.

As the seventh highest coal-producing State in the Nation, Indiana relies on coal-fired electricity to meet well over 80 percent of its energy needs. Our industry provides thousands of jobs and contributes three-quarters of a billion dollars to the Indiana economy. Because of this, the EPA proposed rule will place a choke hold on Indiana's primary and most affordable energy source, driving up utility costs, and putting our State at a disadvantage in competing with other States to lure companies and to attract residents.

It is worth noting that the EPA's announcement ignores the progress the utility industry has made in recent years, and, in fact, in recent decades. Energy providers in Indiana and across the country have spent billions of dollars to control air pollution that has resulted in significant declines in emissions. In fact, we have significantly cleaned our air and water through environmental regulation and through capital investment to produce an environment that is the envy of many nations. This has been done at a competitive disadvantage to our companies, because we are competing in a global economy and we know that nations such as China and India and others have not made the same commitment that Americans have in controlling their emissions.

We have also been a leader in Indiana in reclamation and restoration on the mining front. So those who say it is a desecration of the land to extract coal need to come and see what we have done in terms of reclamation. Instead of barren hillsidesbarren of grass and trees, you will find lush pastures and scenic views where you would never have known mining had taken place.

Penalizing Hoosier energy producers with unattainable environmental restrictions, I believe, is the wrong approach. In effect it is a backdoor way

for unelected bureaucrats to impose regulations similar to the cap-and-trade scheme previously pushed by the White House. Not only did a totally Democratic-controlled Congress fail to pass this similar proposal in 2010, I think it is clear that there will not even be 50 votes for the EPA's proposed regulations in the Senate today, much less the 60 votes required for passage. I think the President realizes this.

So what does he do? He bypasses Congress, which I think is an unconstitutional means of enforcing what ought to be done through legislation—debated and passed by those who are elected and are responsible to the people who elected them—and bypasses that by essentially moving it to an agency and saying: You do it by rule-making. Then unelected bureaucrats make the decisions that we ought to be making in this Congress.

This is not the first time that one country has had to limit one type of energy to the detriment of economic growth and the pocketbooks of hard-working families. These new sweeping rules on coal-fired powerplants brought to mind my friends in Western Europe. As U.S. Ambassador to Germany from 2001 to 2005, I had a front row seat for the similar transition away from fossil fuels that most Germans now regret.

When the German legislature passed a renewable energy law in 2000, Germany gave solar and wind producers 20 years of fixed high prices and preferable access to the country's electricity grid. Following a fashionable green wave of the moment, the main political parties in Germany reached a hasty decision to phase out all 17 of that country's nuclear power plants. German leaders vowed to eliminate clean nuclear power while simultaneously aiming to reduce carbon emissions from 80 to 95 percent by 2050. These overly ambitious and seemingly contradictory targets they said would be achieved by an extravagant government plan to encourage the development of renewable energy production methods.

Under the plan the so-called "energiewende" or "energy transition" renewables, mostly solar and wind, would supply—they said—80 percent of Germany's electricity and 60 percent of the country's total energy requirements. If those goals look impossible, it is because it has been impossible for them to reach and they realize that. Germany's ongoing subsidization of alternative energy means Germans pay significantly higher prices for energy than the global average, putting their industries at a competitive disadvantage. Their consumers pay some of the highest electric rates in the world.

Earlier this year the German government revealed that nearly 7 million families—and they only have 80 million in the country—are in "energy poverty," meaning they have to receive major subsidies from the government in order to pay their electric bills. Today German citizens and their busi-

nesses and manufacturing entities complain loudly about these extra costs that Americans and most other European nations do not face. It has triggered a potential crisis from an economic standpoint. Companies are threatening to move offshore, elsewhere in Europe or to the United States or to other places. Users and residents are complaining loudly about the fact that they are subsidizing an unworkable plan.

While the government subsidies finance inefficient technologies and the government obsesses about emissions goals, Germany has ramped up its coal use, ironically, to 45 percent of total electricity generation.

Think about this for a minute.

A government plan to mandate and subsidize alternative energy sources, to close their nuclear plants, to cease using coal-fired plants to provide power has now put Germany in a situation where 45 percent of its energy is provided by the import of coal—high sulfur coal with high emissions, because that is what burns the hottest.

Now the question here is: Can we learn some lessons from this? What we are embarking on here essentially is a plan very similar to what has already been tried and failed. This is a cost too high for our economy in the United States. Without a course correction, I think President Obama's war on coal will receive the same results as Germany's or perhaps even worse, higher prices and real potential for electricity supply disruptions.

I talked to a number of the electric companies that derive from coal a source of energy that provides a very reliable base load. Base load is what you absolutely have to have to keep the lights on and to run the factories and to keep energy flowing. Their concern is that the current plan will disrupt that base load to the point where we cannot guarantee energy will reach homes at a time when a polar vortex has put people at subzero freezing temperatures or when the temperatures climb to triple digits during the summer. These baseloads cannot be reached by turning windmills, and many days—particularly in my State and others—the Sun is not shining. That is not a dependable source for providing the baseload that is necessary, particularly at times of stress on the system.

President Obama has often seen elements of European socialism as something he would like to impose on Americans. Well, this is one time when I think the President should learn from European socialism and European mistakes and avoid duplicating the situation in Germany by simply letting proven energy providers do their jobs and produce the energy that is needed.

Once again, I have to say the United States has a pretty commendable record of addressing the issues of emissions. We all want clean air, we all want clean water, and we all want to have a safe environment for ourselves, our children, and the future.

Hundreds of billions, if not trillions, of dollars have been spent over the years trying to control those emissions, and we have a pretty good record. Can we go farther? Absolutely. Can we do more? Absolutely. Can we put ourselves on a much more sustainable path to a cleaner environment with less emissions? Absolutely. But setting a mandatory number in terms of percentage and a mandatory deadline in terms of reaching something that has proven to be unreachable and threatens our ability to provide sustained energy to our businesses and residents is something we need to take careful assessment of before we rush into arbitrarily setting a rule that bypasses the debate that would take place in Congress, bypasses the positions of our elected Members of this Congress, and done through a process the Constitution has established in terms of how we make decisions.

I urge my colleagues and the President to take a second look at what the possible consequences could be. It is nothing but pie in the sky, ideologically driven rules and regulations that are driving this. We have a model of a major industrial nation that has taken similar steps and has seen those steps fail.

Again, I urge my colleagues to look very carefully at what is happening through this proposed rule, and I trust we will be able to effectively address this situation in a responsible and reasonable way.

I see my colleague from Tennessee is prepared to remark on perhaps this or something else, but there is probably no one better suited to talk about alternative energy and its consequences than my colleague Senator ALEXANDER.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am delighted to be on the floor to hear the distinguished Senator from Indiana, and former Ambassador to Germany, tell the story of Germany, which has gotten itself into what can only be described as an energy mess.

He summed it up pretty well. They basically adopted the policies the President seems to be suggesting. Where did they end up? They closed their nuclear plants and they are buying their nuclear power from France. They subsidized wind and solar, and now they are buying natural gas from Russia—of all unreliable people. As a result of all this, they ended up having to build coal plants.

I think I was with the Ambassador in Germany, and I said to the Economic Minister: This has produced a situation where you have nearly the highest electricity prices in the European Union. What do you tell a manufacturer when they say they want to come to Germany? The minister said: I tell them to go somewhere else.

Well, somewhere else is the United States today, and we want those jobs.

I thank the Senator for his experience.

I come to the floor on another subject. Tomorrow we will vote on the nomination of Sylvia Matthews Burwell to be the Secretary of Health and Human Services. I intend to vote yes on the nomination. Ms. Burwell has a reputation for competence, and she is going to need it. She is being asked to oversee a big mess this administration has created in health care and so far has lacked the leadership to clean up. Republicans know how to clean it up. We want to take our health care system in a different direction, and we need to be able to work with Ms. Burwell to do it.

In a few minutes, I am going to spell out two things: first, what Ms. Burwell can do to avoid the mistakes of her predecessor in working with Congress and serving the American people, and second, what Republicans would like to do with our health care system. I have five items to suggest for her to work on with us.

No. 1, end the secrecy. Last year I said the NSA could have learned something from Secretary Sebelius because getting information about the ObamaCare exchanges was next to impossible for Members of Congress.

The administration owes the American taxpayers and their elected representatives under the Constitution information about how the administration is spending our money. We should not have to rely on anonymous news sources.

No. 2, work with Congress. This administration has made at least 22 unilateral changes in the new health care law, many of which should have been made by Congress. At this rate, the President may be invited to speak at the next Republican convention for having done the most to change his own health care law.

Our Founders did not want a king. Some Presidents have stepped over the line the Founders intended, but I don't think any President has gone as far as this one. He has appointed more czars than the Romanovs. He made recess appointments when the Senate was in session. He turned his Education Secretary into the chairman of the national school board. This President has swung the furthest from the kind of elected leaders our Founders envisioned, George Washington modeled, and our Constitution prescribed.

Will Ms. Burwell follow the President's steps or will she seek to work within the framework of the Constitution? I hope she chooses the latter.

No. 3, please don't solicit from companies you regulate. This is pretty simple, but the former Secretary solicited from companies she regulated, and she should not have. This kind of behavior should leave with her.

No. 4, be a good steward of taxpayer dollars. Apparently the government is set to spend more than 1 billion Federal tax dollars in technology costs on the ObamaCare Web site. We know that nearly \$½ billion was wasted on four failed State exchanges. This kind of

waste makes American taxpayers furious. They earned those dollars, paid those taxes, and don't deserve to see that money flushed down the drain by Washington bureaucrats who didn't care enough to see that things were done right.

No. 5, show Americans some respect. That means don't announce major policy changes in blog posts. When Congress asks if you are in trouble, don't pretend everything is fine. If Secretary Sebelius had been upfront about the Web site problems before the rollout, we might have saved Americans precious time and money.

Most importantly, recognize that the majority of Americans disapprove of the new health care law and start taking a look at Republican health care proposals as a way to repair the damage done by ObamaCare.

At Ms. Burwell's hearing before the Senate HELP Committee, where I am the ranking Republican, I laid out again what Republicans would do if we could—what we would like to do with our health care system. We have been saying this since 2009 when the legislation was first introduced.

When I was a boy, my grandfather was a railroad engineer in Newton, KS. He drove a big steam locomotive. He would drive a switch engine into a roundhouse and onto a turntable. It might have been headed to Santa Fe, and then he would turn it around and head it off to another direction, maybe to Denver or Houston. It is hard to turn a big train, so that is what they had the turntables for.

Ms. Burwell understands this. She is from a railroad town in West Virginia, as it turns out, and that is what Republicans would like to do with our health care system, we would like to turn it around and head it off in a different direction—not back but in a different direction. We want to repair the damage ObamaCare has done, and we want to prevent future damage as responsibly and rapidly as we can. We would like to move in a different direction to put in place health care proposals that would increase freedom, increase choices, and lower costs. We trust Americans to make those decisions themselves, and we believe that is the American way.

Four years ago Congress and the President made what we believe was an historic mistake. Congress passed a 2,700-page bill. Republicans said we don't believe in trying to rewrite the whole health care system. Let's instead go step by step to create more freedom, more choices, and lower costs.

Let me take you back for a moment to the health care summit at the Blair House 4 years ago. The President invited three dozen Members of Congress. He spent 6 hours with us, all on national television. I was asked to speak first for the Republicans. I said what I thought was wrong with the President's plan. I said it would increase health care costs, and it has.

USA Today reported that health care spending in the first quarter of this

year rose at the fastest pace in 35 years. The Hill newspaper reported that insurance executives say premiums in the new exchanges will double or triple in parts of the country the next year. Even with subsidies, many Americans are finding that deductibles, copayments, and out-of-pocket expenses are so high they can't afford health insurance.

We said people would lose their choice of doctors, and many have. We said ObamaCare would cancel policies, and it has. At least 2.6 million Americans have had their individual plans outlawed by ObamaCare. I remember that Emilie from Lawrenceburg, TN, had a \$52-a-month policy. She has lupus, and her policy fit her needs and her budget. It was canceled. Now she is in the exchange, and it costs about \$400 a month. She says it is more coverage than she needs and she can't afford it.

Millions more Americans who get their health care through small businesses will find the same thing will happen to them later this year.

We said jobs would be lost, and they have. The President of Costa Rica is hosting jobs fairs and welcoming medical device companies that have been driven out of the United States by the onerous 2.3-percent tax on revenues.

We said Medicare beneficiaries would be hurt, and they have. The average cut for a Medicare Advantage beneficiary will be \$317 between this year and next.

We said the only bipartisan thing about the bill would be opposition to it, and it is. A recent Gallup poll says that 54 percent of Americans are opposed to the law.

During the debate, I said every Senator who voted for the new health care law ought to be sentenced to go home and serve as Governor in their home State and try to implement it. There are 16 Governors struggling with that today who won't implement the Medicaid expansion because they are worried about costs down the road, and they should.

When I was Governor of Tennessee, Medicaid costs were 8 percent of the State budget, and that was in the 1980s. Today it is about 30 percent. These Governors are wondering what costs will be in 10 years.

The most important thing we said was what we would do if we could. We said: Let's go step by step in a different direction. Our Democratic friends said: Wait a minute, that is not a comprehensive plan. We said: You are right; we don't believe in comprehensive. If you are expecting MITCH MCCONNELL to wheel in a wheelbarrow with a 2,700-page Republican health care bill on it, you will wait until the Moon turns blue because we are policy skeptics. We don't believe we are wise enough to write a 2,700-page bill that will change the whole system, but we believe we can go step by step in the right direction, and we outlined our steps.

Senator JOHNSON has a proposal that would allow more Americans to keep

their insurance plans, as the President promised.

Senator McCAIN has a proposal that allows you to buy insurance in another State if it fits your budget and your needs.

Senator ENZI has a proposal for a small business employer so that he or she can combine purchasing power with other employers and offer employees lower cost insurance.

Senators BURR, COBURN, and HATCH have a proposal to allow to you buy a major medical plan to ensure you against a catastrophe and a health savings account to pay for everyday expenses.

I have a proposal to make it easier, not harder, for employers to reward employees who live a healthy lifestyle. That is what we mean by doing what my grandfather did with that train and turning it around and heading it off in a different and correct direction.

As rapidly and responsibly as we can, we would like to repair the damage ObamaCare has done. We would like to prevent future damage. We want to move in a different direction that provides more freedom, more choices, and lower costs. We trust Americans to make decisions for themselves. That is the American way.

Since President Obama will still be in office for the next 2 years, if Ms. Burwell is confirmed, as I fully expect she will be by a good vote, we will need her help to accomplish that.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

VA CHALLENGES

Mr. VITTER. Mr. President, I rise to discuss important veteran and VA issues—issues we are all properly focused on like a laser beam right now—and I will be joined over the next several minutes by Senators RUBIO, INHOFE, and HELLER, who share all of my concerns.

I have been coming to the floor pretty relentlessly—because apparently that is what is necessary—to talk about one specific priority with regard to veterans in Louisiana; that is, moving—there is no good reason we can't move—on expanding outpatient clinics that are overdue in 27 locations and in 18 States, including 2 new expanded outpatient clinics in Louisiana, specifically in Lafayette and Lake Charles. These clinics have been planned for, on the books, and paid for for several years now. They are not being built, they are not being moved into purely because of an administrative glitch at the VA that delayed the whole process by a year. Then, in that intervening year, a so-called new scoring issue came up in Capitol Hill at the CBO. We have blown through all of that. We have solved those problems, finally, after a lot of delay. We have solved those problems, and now there is absolutely no reason to not take up a bill that has been passed by the House, put a simple amendment on the bill and

pass it through the Senate, and get on with building these new and necessary expanded VA clinics at 27 locations around the country, in 18 States, obviously including the State of Louisiana. There are two locations there, as I mentioned—in Lafayette and Lake Charles.

I again take the floor in the context of this much broader VA scandal to urge us to come together and act in this simple but important way. I have been coming to the floor to urge this action for months now—well before this current VA scandal erupted. But I think that new context of this national VA scandal makes bipartisan action on this and anything else we can agree on more necessary than ever. So I again urge all of my colleagues to come together to get this simple but important work done and to continue to work on all of the other very necessary changes we need at the VA.

In terms of these 27 outpatient clinics, there is no disagreement about this. A bill has been passed through the House—with one dissenting vote—to get this done. It sits in the well of the Senate. There is no objection to the merits of the bill as long as we add one perfecting amendment that has been worked out with every Member of the Senate. There is no substantive objection to that. However, it has been held up and objected to by Senator SANDERS, the head of the veterans committee, purely because he wants to use it as leverage to pass his much broader veterans bill on a host of other topics.

As I have said many times before, those other topics are very important. Those broader topics have only been underscored in the last few weeks with this developing VA scandal. We need to address many areas, but we shouldn't hold veterans hostage and we shouldn't hold up progress in any area we can agree on simply to create a hostage to try to forge movement in these other areas.

In fact, in terms of that general proposition, I think Senator SANDERS agreed with me. Back on November 19 of 2013, Senator SANDERS adopted and endorsed this approach with regard to other matters. There was another set of work on other veterans issues, and issues were worked out so that a specific proposal could move forward by unanimous consent. Senator SANDERS came to the floor and basically said: Yes, let's agree on what we can agree on. Let's move forward with what we can move forward on.

I am happy to tell you that I think that was a concern of his.

He was speaking about another Senator on this other veterans issue.

We got that UC'd last night. So we moved that pretty quickly, and I want to try to do those things. Where we have agreement, let's move it.

Senator SANDERS was urging us, particularly in the context of the overall VA scandal and VA mess: Let's start acting. And where we have agreement, let's move it.

We are not going to solve every veterans problem in one bill overnight, but we can start. A bite at a time, a step at a time, we can start to do positive work, and these 27 clinics in 18 States are very positive, very concrete.

So where we have agreement—and we have complete agreement in this area—“let's move it”—a direct quote from Senator SANDERS from late last year. I am sorry to say that Senator SANDERS is not allowing us to move it. We have absolute agreement on the substance of these clinics. We can call that bill off the calendar right now. We can put the perfecting amendment on it. There is absolutely universal agreement on the substance of that bill with that amendment. But we are not moving it, apparently because he wants to use that as some sort of leverage for other VA proposals. I want to work on those proposals, but where we have agreement, let's move it.

Veterans want us to come together in a bipartisan way. They want us to act not in a month or a year, not after more and more studies, they want us to start to act now where we can, where we have agreement.

I think it is very important that we act. It is very important that we do so in a bipartisan way. This is one focused area where that is possible immediately, today, so I urge us all to do that.

There are other areas where we need to act. Senator SANDERS is in discussions with many of us, being led on the Republican side by Senators BURR and McCAIN. I hope that broader agreement comes together. I hope it comes together very soon. I have been assured by both sides—by Senator SANDERS on the Democratic side and Senators BURR and McCAIN on the Republican side—that certainly this clinic issue will be included in any such agreement. But let's come together here and now where we have agreement—and we do on these clinics. Let's act for veterans as soon as we can, and we can right now with regard to these clinics.

I urge us to adopt that positive, commonsense approach: Act where we have agreement, immediately. Build consensus and continue to work on those areas where there is continuing discussion, and act and build agreement and build consensus as quickly as we can in those other areas. I urge us to do that as soon as we can, wherever we can, whenever we can, and that can start today—if Senator SANDERS will let us—with regard to these 27 expanded outpatient clinics in 18 States.

I see Senator HELLER has joined us on the floor, and I will defer to him. I look forward to the comments of Senators RUBIO and INHOFE as well about the broader veteran and VA challenges as well as this specific clinics issue.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I first wish to thank my good friend from Louisiana for putting together a proposal that would ultimately increase

veterans access to care. As does he, I believe our veterans are entitled to a VA system that provides them with the services they were promised—not only promised but to receive them in a timely manner. As my colleague from Louisiana mentioned, I support his efforts to authorize 27 VA clinics, and I cannot understand why the Senate is not acting on this commonsense proposal.

I would also like to thank my other friends; for example, Senator RUBIO from Florida, who is fighting to bring some sort of accountability to the VA. His bipartisan, bicameral proposal is a much needed step in the right direction to give the VA the tools to fire VA executives who are not doing their jobs.

Unfortunately, after talking extensively with veterans in Nevada, I believe these problems of management, of accountability, and of efficiency extend well beyond the Veterans Health Administration. The Veterans Benefits Administration continues to struggle to eliminate the veterans disability claims backlog as it operates in what I consider to be a 1940s system here in the 21st century. There are more than 3,600 veterans in Nevada and nearly 300,000 nationwide who are stuck in a VA disability claims backlog. My home State of Nevada has the longest wait in the Nation at 348 days for a claim to be processed.

What veterans need is for Congress to take action to reform a broken, outdated claims-processing system. That is why Senator CASEY and I came together a year ago to address this issue with a targeted approach to fix the claims process. So here is what we introduced. It is the “VA Backlog Working Group March 2014 Report.” These solutions we are speaking about are included in our 21st-century Veterans Benefit Delivery Act, which Senator CASEY and I introduced in March.

Our legislation addresses three main areas of the claims process: submission, VA regional office practices, and the agency’s response to VA requests. I recognize that the claims process is complex, and there is no silver bullet that will solve this problem, but the VA’s current efforts will not eliminate this backlog.

I think my colleagues here today would agree this is a bipartisan issue. There isn’t a Member of the Senate whose State is not impacted by the VA claims backlog. Yet this bipartisan legislation remains in the backlog of bills yet to be considered by the Senate.

It is past time for Congress to give this issue the attention it deserves. Congress needs to reform the VA and when doing so cannot ignore the problems that plague its benefits administration.

Thank you, Mr. President.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I wish to applaud the work of the Senator from Nevada and echo his sentiments. I am a

member of this bipartisan working group on the claims backlog. I am a co-author of the bipartisan legislation he helped spearhead, along with Senator CASEY. It is another very good example of a bipartisan consensus where we can act. We can move it. So let’s come together and let’s act in a responsible, bipartisan way, and let’s move it. That is what veterans want. That is what veterans tell me all across Louisiana. That is what the veterans service organizations are saying.

This crisis demands action. It demands bipartisan action. This is an area where we can act now and act effectively. We should. The clinics I spoke about are an area where we can act now and act effectively in a bipartisan way. We should.

I also applaud Senator INHOFE, who may be coming to the floor, for his leadership on this clinics issue. We need to authorize those and move on with them and get that done.

I also thank Senator RUBIO, who will be speaking later about the legislation he has that has already passed the House to give the leadership—the new leadership, thank goodness—of the VA the authority they need to take dramatic action when necessary, to clean house when necessary, and get people in place who are going to make a difference in that broken bureaucracy.

So let’s act now, in a bipartisan way, where we can. Again, that is absolutely possible in these areas, including these 27 outpatient clinics in 18 States, the 2 in Louisiana that I discussed.

We have complete agreement in the Senate on the substance of these clinics. We have legislation that has already passed the House. So please, Senator SANDERS, release your obstacle, release your blockade. Let’s move forward. Let’s agree where we can agree. Let’s act where we can act, here and now, and continue to work on those other vital areas where we also need agreement.

There is a common saying: Time is money. Well, in terms of what we are talking about, time can be lost lives. We have seen cases of that, documented cases of that with regard to veterans who were waiting for so long they died. Time in health care can be lost lives.

This past week, as I traveled in Louisiana, I had a townhall meeting in New Orleans, among other places, and a New Orleans police officer—a female police officer—came and told me about the case of her father who, because of a lack of attention and time lapsed in the VA system, died, literally died directly related to that. Her name is Gwen Moity Nolan, and although she has lost her father, she wants to make sure that does not happen to any other veteran’s family, that what happened to Richard Moity does not happen to others. Her case was looked at by the VA, and they admitted fault, they admitted negligence, and they actually reached a substantial settlement with her over their lack of attention to her

father. But she really wants to make sure that does not happen to any other veteran’s family. She came to me pleading: Can you make sure they have taken the necessary steps to fix those problems in the New Orleans VA?

So I have written to the VA and said: I want to see the results of that investigation with regard to Richard Moity. You say you have taken corrective action? I want to understand exactly what that corrective action is.

Time is money? No. In this case, time can be lost lives—the life of Richard Moity, the lives of veterans in Arizona, the lives of veterans around the country for whom inattention, delay, and lack of responsiveness in the VA system meant lost lives.

So let’s not delay here in the Senate. Where we have agreement, let’s move, let’s act. We have agreement on these clinics. We have agreement on action to address the VA backlog Senator HELLER talked about. Let’s act. Let’s move because delay can lead to serious consequences in health care, even the loss of life.

I thank Senators INHOFE and RUBIO, who may be coming to the floor later to talk about these issues, for their determined work. I look forward to moving on this issue. I look forward to Senator SANDERS hopefully reaching agreement on a broader set of proposals, including this clinics issue, in the very near future, and if not, I will be back to the floor demanding action on these clinics within a few days.

I yield the floor.

The PRESIDING OFFICER. (Mr. BROWN). The Senator from Vermont is recognized.

(The remarks of Mr. LEAHY relating to the introduction of S. 2428 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. LEAHY. Mr. President, I do not see anybody seeking recognition, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for the 69th straight consecutive week that the Senate has been in session to try to wake us up to the harm that carbon pollution causes to our oceans, to our communities, to our ecosystem, and to our health.

The effects of climate change are all around us, from melting glaciers in our national parks, to drought-stricken land across the American Southwest, to rising seas along my eastern seaboard. In Washington, DC, the iconic cherry blossoms are blooming earlier. Snook, native to South Florida, are being caught off the coast of Charleston; tarpon and grouper off the coast of Rhode Island.

This is all happening now—not tomorrow, not sometime in the distant future but now—right now. Projections show that it will get much worse in the coming years unless we wake up and take real action. Happily, this week, the Environmental Protection Agency used its Clean Air Act authority as established by Congress and affirmed by the Supreme Court to propose carbon pollution standards for the country's existing powerplants.

Before this, there were no carbon pollution limits—believe it or not—none. As you can see on this chart, the 50 dirtiest U.S. powerplants—this is the whole U.S. powerplant fleet. These are the 50 dirtiest powerplants. They put out more carbon than Korea, which is a pretty industrialized country. They put out more carbon than Canada, our neighbor to the north.

I congratulate the administration on developing these smart, sensible limits that will put our Nation on a better path economically and on a better path environmentally. Thank you to the scientists, the engineers, the staffers, the attorneys, and the experts who invested so much time and energy in developing this historic standard. Through an unprecedented public engagement, EPA held more than 300 public meetings, working with stakeholders of all kinds and all across the political spectrum.

The result: EPA has put the States in the driver's seat to come up with their own plans to meet State-specific targets. States and power companies will have a wide variety of options to achieve carbon reductions, like boosting renewable energy, establishing energy savings targets, investing in efficiency or joining one of the existing cap-and-trade programs. States can develop plans that create jobs, plans that cut electricity cost by boosting efficiency, plans that achieve major pollution reduction.

What is not to like? Already, a diverse array of groups support the new EPA pollution standard. The U.S. Conference of Catholic Bishops in a letter to Administrator McCarthy wrote: "These standards should protect the health and welfare of all people, especially children, the elderly, as well as poor and vulnerable communities, from harmful pollution emitted from power plants and from the impacts of climate change."

The Catholic bishops went on to point out that "the best evidence indicates that power plants are the largest stationary source of carbon emissions in the United States, and a major contributor to climate change."

We are also hearing from 600 State and local elected officials who recently sent a letter to the President in support of the EPA plan. These are the mayors, council members, and State legislators for whom climate change is a day-to-day reality at home right there in their communities.

The letter is signed by officials from both red States and blue, including

Texas, Iowa, Arizona, and the ground zero of climate change in this country, the State of Florida. The business community has weighed in. Over 125 companies including American giants like Nike, Levi's, and Starbucks sent a letter of support for the new rule.

Our support is firmly grounded in economic reality. The new standards will reinforce what leading companies already know: climate change poses real financial risks and substantial economic opportunities and we must act now.

VF Corporation is an American apparel manufacturer in North Carolina whose brands include North Face, Timberland, Wrangler, and many others. "As a company that makes innovative apparel and footwear for people who love the outdoors, we know how important addressing climate change is to our consumers, and therefore, our business," said Letitia Webster, VF's director of global sustainability. "Today's rules provide the long-term certainty that VF needs to continue to invest in clean energy solutions so that we can do our part to reduce the impacts of climate change."

Major utilities are behind the new rule. Tom King, the President of National Grid, which serves my home State of Rhode Island, said:

The Obama administration, through the good work of EPA Administrator Gina McCarthy and her staff has worked in a transparent manner to craft regulation that promotes environmental and human health through a host of clean energy options. Rather than picking winners, this proposed rule supports market-based solutions.

Major public health groups agree. Here is what Harold Wimmer, national president and CEO of the American Lung Association had to say: "For the 147 million—nearly half of all Americans—already living in areas with unhealthy levels of ozone or particle pollution, curbing carbon pollution emissions is a critical step forward for protecting public health from the impacts of climate change happening today."

As widespread and broad as the support is for this rule, not everyone is applauding. Big polluters have enjoyed a long and happy holiday from responsibility for the carbon pollution they have dumped into our atmosphere and oceans. This free pollution they have enjoyed emitting is a market failure, a market failure recognized even by groups as conservative as the American Enterprise Institute—a market failure which allowed these polluters to dump billions of dollars in costs and harm on their fellow Americans.

They did this to their fellow Americans without apparent shame or regret, and they are fighting desperately to preserve this loophole. They do not want you to know that we can achieve these reductions responsibly. They do not want you to know that we can do this and help our economy. Indeed, before the proposed rule was even available to examine, the climate deniers at the so-called U.S. Chamber of Commerce said it would cost electricity

customers hundreds of billions of dollars and zap the U.S. economy of tens of billions in GDP and hundreds of thousands of jobs.

Do not believe it. These claims are exaggerated at best and flat out false at worst. Do not just take my word for it. Republicans, citing the chamber's report—of course some of our colleagues jumped to cite that report. When they did, they earned a PolitiFact "false" and four Pinocchios from the Washington Post fact checker.

The problem with the big polluters is that they only look at one side of the ledger. They ignore the costs of carbon pollution on the rest of us. These costs are real. People see them in their lives, in real lives at home in our communities—damage to coastal homes, roads, and businesses from rising seas and erosion; asthma attacks in children triggered by smog, sending them to the emergency room; forests dying from beetle infestations and swept by unprecedented wildfire seasons; farms ravaged by worsened drought and flooding. Our side of the ledger counts too.

If the big polluters were accountants and they filed financial statements that only looked at one side of the ledger, they would go to prison. But this is politics, so without consequence or shame or regret, they ignore the harm they cause the rest of us.

If the Chamber of Commerce and the big polluters want to talk about jobs, let's not forget about the jobs they hurt by their carbon pollution. Fishermen in Rhode Island have seen their winter flounder catch nearly disappear in recent decades as the water temperature in our Narragansett Bay has risen 3 to 4 degrees. That is an ecosystem shift for these species.

Actually, there are now more jobs in clean, green energy than in oil and gas, more jobs in solar than in coal mining.

This rule is a job creator in innovation and clean energy. The polluters just won't count that side of the ledger.

It is an old story: tobacco, seatbelts in cars, acid rain, lead paint, ozone depletion, and more. Same old strategy: Muddle the science, manufacture doubt, manufacture cost, exaggerate the costs, and ignore the economic benefits.

The Clean Air Act, according to a 2011 EPA assessment, will benefit Americans more than it costs by a ratio of 30 to 1, \$30 of value in preventing hospital visits and premature deaths, avoiding missed work and school days, improving environmental quality, helping people live healthier, more productive lives—\$30 of value to Americans for every \$1 they had to pay in cleanup costs.

Opponents of clean air standards have been proven wrong time and again. Here is the bottom line: Excessive carbon pollution is bad for our health, bad for our environment, and bad for our economy, even bad for our

national security, if you read the Department of Defense's own Quadrennial Defense Reviews.

The largest source of carbon pollution in the United States is powerplants. Until now there were no limits on the carbon pollution these plants could spew into our atmosphere and oceans. This week changes that. If the big polluters don't like the change, many of us will work with them on a legislative alternative. Perhaps as many Republicans support an economywide price on carbon pollution, which could generate a financial benefit for taxpayers and even provide transition assistance to affected industries. But they can't just keep dumping their pollution on the rest of us. Doing so might be free for them, but the costs are too high for us. Their long holiday from responsibility has to come to an end. It is time for them to wake up.

A number of my Republican colleagues have come to the Senate floor to respond to the administration's proposal. Those of us seeking to stave off the worst effects of climate change welcome this opportunity to engage in a bipartisan discussion on the challenges of climate change.

In the past, Republican colleagues have coauthored and voted for bipartisan climate change legislation. They have spoken out in favor of a carbon fee and, of course, our Republican colleagues represent States such as Florida that are every bit at risk from the effects of climate change as States represented by Democrats. So we think our Republican colleagues could have a lot to offer if they wish to join us in exploring solutions.

A number of us have requested that time after votes on Monday, June 9, next Monday, be reserved for us to engage in a robust, bipartisan exchange of views about carbon pollution. We invite all our colleagues, Republican and Democrats, to join us then on the floor. We hope to find the Republican Party in the Senate is not a uniform monolith of climate denial.

We earnestly believe the costs of failing to exercise American leadership and solve this carbon pollution problem are very high, terribly high, with ramifications for our health, safety, economic well-being, our food and water supplies, and our national security and standing.

I look forward to a vigorous discussion on Monday. I hope my colleagues show up.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Today I would like to discuss the nomination of Sylvia Burwell to be Secretary of Health and

Human Services. I am going to make some criticisms of her performance and the background she lacks in taking on this huge agency.

I have met with her, worked with her some as OMB Director. I like her, and she is courteous and capable, so I am not talking personally in any bad way about her, but this is an important agency, one of the most important agencies in our Nation. The Secretary of Health and Human Services oversees several of the largest programs in the entire Federal Government. Crucially, the Secretary is also the person tasked with implementing the President's health care law. It is essential that anyone who fills this position possess great skill, relevant experience, proven managerial experience, and who will act with independence and in the best interests of the American public—one who, at this critical time, puts country over politics. They cannot be a political loyalist, but they must be someone of stature, integrity, and sound judgment who is willing to tell the President no if asked to circumvent the law, provide false information, or otherwise act against the public interest.

From the President's own perspective, he needs desperately someone who is able to evaluate these major programs such as ObamaCare with wisdom and tell him and help him—and particularly tell the American people the truth.

Ms. Burwell does not have the background one associates with a position of this magnitude. She just does not. Nor does she possess the specific skills critically needed today. The OMB office she now holds has 500 employees. HHS has 72,000.

Aside from her short tenure at the Office of Management and Budget, which has just been 13 months, she is just now beginning to find her way around, presumably, that office. She has never run any major department, any major health care department, a department or an agency, a major business, a significant city, or a State. There are many very capable people in this country who would be much more ready to assume the august responsibilities of this job.

It appears her most significant health care role prior to this was serving as a board member—part-time board member—of a local university medical center.

In fact, 2 months ago in a Budget Committee hearing, Ms. Burwell declined to answer a basic health care question until she said she would seek Secretary Sebelius's expertise on the matter, but she never provided that answer anyway.

Her time as Director of the Office of Management and Budget was controversial. The budget plan she submitted to Congress plainly violated the spending caps Congress and the President agreed to and passed into law. She produced a budget plan that would increase spending by nearly \$791 billion over 10 years. That is above the Ryan-

Murray agreement that passed in Congress that set these spending limits just a few weeks before, including, in that budget, a proposal to increase spending by \$56 billion over the budget next year.

As the ranking Republican on the Budget Committee, I have been involved in this and observing it. To my dismay, she went to enormous lengths during her testimony before the committee to try to conceal this increase in spending. It was very amazing to me.

On the day the President's budget was submitted, the Associated Press reported that the plan Ms. Burwell authored "lays waste to the spending caps that the White House and Congress agreed to late last year."

Also at the same time The Hill reported the budget this way—Obama's "\$3.9T budget busts spending limits."

Remember, Ms. Burwell was the Director of Office of Management and Budget. Her staff produces the budget and defended the budget.

It goes on to say in the first paragraph the truth of the situation in The Hill. The article is by Erik Wasson.

President Obama on Tuesday released a \$3.9 trillion election-year budget blueprint that would bust the bipartisan budget ceiling agreed to in December with \$56 billion in new stimulus spending.

This was 10 weeks after they had agreed to one level of spending. She walks in and produces a budget that is \$700-, \$800 billion almost more in spending over the budget of 10 years, and \$56 billion more the next year.

When I asked her about that, apparently it was politically sensitive. Apparently they had decided they didn't want to admit they were spending more money. The Associated Press says they did. Politico said they did. The budget they submitted that was in law—laid before the Budget Committee—plainly demonstrated it spent more than they agreed to spend.

I asked her about it. It went something like this. It was a very long exchange. It was frustrating for me. I will quote from some of them, because I think we need to understand these issues. I asked her about the spending excess:

Mr. SESSIONS. So you're proposing that we alter Ryan-Murray [that is the law that set new spending limits, allowed more spending than we previously agreed to, but it continued to set some limits] so you can spend \$56 billion more next year alone. Yes or no; is that correct?

Ms. BURWELL. We propose a paid-for [initiative] . . .

Mr. SESSIONS. Can't you answer that question simply? Yes or no? Do you propose to spend \$56 billion more than Ryan-Murray allows?

Ms. BURWELL. Senator, we do propose a change in the law that would be fully paid for that would invest in things that we believe are necessary for the economic health of the nation.

Mr. SESSIONS. Do you want to spend more than the President agreed to when he signed the Ryan-Murray 10 weeks ago?

Ms. BURWELL. Senator, we signed Ryan-Murray . . .

Mr. SESSIONS. Now, I'm just asking, yes or no; are you [spending] more or less?

Ms. BURWELL. Senator, I think there are some questions that are not simply yes or no questions.

Mr. SESSIONS. This one is a yes or no question. You're refusing to answer it.

I simply asked a public servant who is paid by the taxpayers: Are you spending more money than the Ryan-Murray budget had agreed to and the President signed? And she refused to answer. It was really frustrating. But I think it is indicative of the fact that they were allowing politics to interject itself here—because the White House didn't want to admit, and she stood up for the White House and wouldn't admit it. But, as Politico says, it plainly was true that they were spending more.

So rather than acting as an independent steward of taxpayer dollars and simply telling the plain truth to a simple question, she acted as an extension of the President's campaign arm—advancing their spin without honestly acknowledging the clear and plain facts to the American public asked by a representative of the people of the United States. There was no doubt that they spent more money than Ryan-Murray would allow, but they never acknowledged it because she politically did not want to admit it.

The Director of the Office of Management and Budget is more than a political position. The Director serves the President, yes, but it is at bottom an important public servant, and the person who holds that job must act as a disciplined manager of taxpayers' dollars and do so with clarity and openness. The Director is managing the world's largest budget.

However, Ms. Burwell submitted a financial plan—a budget—that would have increased spending more than \$700 billion above the current, agreed-upon, in-law budget levels while, amazingly, suggesting her plan reduced spending. It was a tax-and-spend budget that would have added \$8 trillion to our debt while doing virtually nothing to reform the entitlement programs heading for impending insolvency. It completely busted the budget law the President signed. It was a grossly irresponsible plan.

According to Ms. Burwell's own budget submission, the plan would have caused interest payments on the debt to nearly quadruple, from \$221 billion in interest paid last year alone to more than \$800 billion 10 years from now. So this is really a serious matter. There is no attempt to balance the budget in her plan even over 10 years. Indeed, it flatly rejected the very idea of a balanced budget.

Additionally, despite her public commitment during her confirmation that she would deliver the budget in accordance with the legal deadlines, the President's budget was again delivered more than a month late.

Importantly, Ms. Burwell failed to comply with Federal law requiring her to submit Medicare improvement legis-

lation after the Medicare trustees issued their funding warning. Medicare is heading to financial ruin. The law says that if Medicare reaches a point where its future is financially in doubt, it must notify the President, and the President, through his Office of Management and Budget Director, is supposed to submit to Congress a plan to get Medicare off the path to disaster. It was submitted to President Bush. He submitted a plan to Congress to fix Medicare. But this President has steadfastly refused to do so, and so did Mrs. Burwell as his Office of Management and Budget Director.

It states that within 2 weeks of the budget submission, legislation must be sent to Congress to comply with this so-called Medicare trigger. It requires a plan to fix the program. During her confirmation as OMB Director, she was asked about this duty she was going to have, and she made a commitment to respond and produce the Medicare trigger. Specifically, she said she would "do everything in her power" to comply with the Federal law, bringing an end, in effect, to the administration's several-years-long defiance of plain law.

As the President's Budget Director, under 31 USC, 1105, Sylvia Burwell was the person responsible for complying with the Federal law. Having willfully violated this requirement, it is ironic now that, if confirmed as Health and Human Services Secretary, she will serve on the board of trustees of the Medicare trust fund, she will be responsible for overseeing their finances, and she will be issuing to her former office—OMB—the same funding warnings that the administration received and ignored while she served as budget director.

Ms. Burwell has also violated law and denied Congress needed transparency with respect to the President's troubled health care law. Specifically, the Omnibus appropriations bill signed into law in January required HHS to include in its fiscal year 2015 budget a detailed accounting of spending to implement the health law. Fair enough. But neither the budget Ms. Burwell delivered nor the agency justification that later joined it satisfied the requirements set in law. They should do that. They are public servants. They should tell us how to handle the problems of financing in health care law.

As OMB Director—the budget submitted to the Congress by Ms. Burwell reclassified the budgetary treatment of the ObamaCare risk corridor program without statutory authority to do so. Under this approach, it appears HHS attempts to escape congressional accountability for its use of certain funds. So this is a clear violation of the congressional power to appropriate money, and it is pretty clear that to fund this program they are going to have to ask Congress to fund it. But by moving this around, they are attempting to spend money without asking Congress to appropriate it—against the Constitution.

Regrettably, it seems Ms. Burwell followed a consistent pattern. Rather than using OMB as the central agency to reform this massive, out-of-control spending government, to stop wasteful spending and tame the debt—as former OMB Directors such as Mitch Daniels and ROB PORTMAN did; now-Senator PORTMAN submitted a balanced budget when he was OMB Director under President Bush—she has not submitted any reforms to bring our government under control in OMB.

One of the concerns I had about her appointment was that it is such a critical part of our government, we have to have a strong OMB Director to control this massive government and control wasteful spending. That is the President's right arm. That is the person who brings the Cabinet Secretaries in to say: You are spending money. I hear complaints about waste. I hear about duplication. The President wants you to fix this.

We saw none of that under her leadership. Her tenure at OMB evidenced no drive to even tackle the magnitude of our financial challenges. She proposed to bust the spending caps that Congress and the President agreed while trying to suggest otherwise. She ignored the Medicare trigger. She tried to put a positive spin on a dangerous financial plan instead of trying to actually solve the serious financial challenges facing our country today.

With ObamaCare in chaos and disarray, threatening the very economy and the health care of Americans by the millions, what we desperately need in this key position is someone who will be independent, forthright, and honest, someone who will resist political pressure from the White House, and someone who knows what they are doing. This position demands that we find one of the best and most respected health care experts in the world. That is what we should be looking for. Ms. Burwell, as nice as she is, sadly, is just not that person. She does not have those skills.

ObamaCare was passed into law on a series of egregious falsehoods. The American people intuitively recognized that this was an overreach and would not work, and the American people are now paying the steepest of prices for this complex, failed piece of legislation. One of the falsehoods was that it would not add to the debt—not a dime, the President said. Well, we now know it would add more than \$6 trillion to the long-term debt of the United States. That is a huge amount of money.

A Secretary of Health and Human Services must tell the American people the truth about the law's finances. If they fail to do so, if the Secretary will not acknowledge the truth and the challenges that our finances face, then the entire future, financially, of America will be at risk.

So I believe Ms. Burwell is a good and well-meaning person. Senators MANCHIN and ROCKEFELLER from West

Virginia like her, and Senator WYDEN of the Finance Committee and I like her. But I cannot support her bid to control the health care future of millions of hard-working Americans by placing her in charge of this massive agency that so desperately needs mature, aggressive, strong leadership—somebody who understands these issues before they take the job. I will vote no on her nomination as Secretary of Health and Human Services.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Massachusetts is recognized.

(The remarks of Ms. WARREN pertaining to the introduction of S. 2432 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. WARREN. I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Ohio.

CONCERN FOR VETERANS

Mr. BROWN. Mr. President, during Memorial Day and last week, I spent much of the time traveling Ohio with Michael Fairman, a retired Navy corpsman and a Columbus resident, who served with the Marines in Afghanistan from 2007 to 2011. His son Zack is a third-generation Navy corpsman serving with the Marine Corps First Tank Battalion deployed in the Middle East.

Based on his own combat experiences and his concern for other veterans and the suicide of a friend, a fellow veteran, Mr. Fairman came to my office with an idea of how we can help both servicemembers and veterans—veterans like Alexander Powell, a student at the University of Toledo who joined us in Northwest Ohio. Mr. Powell was deployed in Iraq in 2006 when his gun truck was struck by an IED. He had no physical or visible injuries. He went back to duty the next day, but he began experiencing blackouts and dizzy spells. It wasn't until 2009 that he was diagnosed with a traumatic brain injury and hospitalized to begin treatment.

Mr. Powell is not alone. The VA reports that some 300,000 veterans struggle with post-traumatic stress. The Defense Department reports that out of 300,000 TBI injuries, there are 25,000 cases of what they call mild traumatic brain injuries because mild TBI is an invisible injury. Think of an NFL player getting a concussion or a series of concussions over a period of a career. Think of a soldier getting what a number of soldiers said to me—marines and air men and women and soldiers and sailors talk about getting their "bell rung" when they get a head injury. It is an injury that is not serious enough for an NFL player to sit down, not serious enough for a soldier to be sent home, perhaps not serious enough for a soldier to get any medical treatment at all, but one of a series of concussive events of invisible or minor head injuries can lead to problems a number of years later.

So when veterans or servicemembers seek service-connected disabilities for

related injuries, they often don't have the necessary documents needed to establish the connection between their military service and their claim with the VA. That was the case for Mr. Powell. He told me last week:

It was my job [after returning home] to gather up any proof that I had to show that my truck was hit by an IED and gather statements from people who were there to corroborate my story. That is a task, if not done immediately after the incident, that is almost impossible to accomplish.

So 5 years, 6 years, 7 years later, Mr. Powell is back in Ohio trying to piece together the series of head injuries he sustained, what exactly happened, finding witnesses, his unit commander, and comrades to be able to prove to the VA that his disability is earned and warranted and trying to explain to his doctor what his head injuries might have entailed. The burden is on the veteran to provide the VA with information establishing the connection between their claim and their service. This can lead to denied claims. It can lead to improper medical care. It increases the disability claims backlog.

We are all concerned—even though the VA has shrunk that backlog by 50 percent in the last year or so, we also know that one of the reasons for the backlog at the VA is it takes so much more time for the VA employee and the soldier to try to piece together the record of injuries that might have taken place 5 years ago, a decade ago, a decade and a half ago. That is why I introduced the Significant Event Tracker Act, which Mr. Fairman helped to create. This bill will improve the claims process for veterans and servicemembers. Mr. Fairman visited a number of House and Senate offices. The only one who responded was actually Senator CORNYN's office, from Texas. He and I have talked about this bill, and we both understand how important this can be to veterans. Let me explain the bill.

First, it would allow unit commanders to document events, such as a roadside bombing, that each servicemember in their command is exposed to and which might later be connected to these "invisible injuries."

Second, recording this information on an individual basis will help military medical officers better diagnose and treat military members who have mental health concerns.

Finally, for veterans and military retirees, this act will help them file better initial claims—claims with supporting documentation from DOD. In other words, veterans should be able to focus on their recovery, not on having to prove the cause of their injury.

Let me say that again. A soldier going to the VA in Dayton, OH, or Cincinnati or to a veterans clinic in Mansfield should be able to focus on her recovery and not having to prove the cause of her injury. This bill puts the responsibility on the Army, on the Marines, on the Defense Department, not on the veteran, to track and connect

significant events to individual servicemembers that would later potentially lead to post-traumatic stress or to traumatic brain injury. Commanders already report major injuries. We want commanders to report about individual servicemembers who were involved in any kind of a minor or "invisible" head injury.

This was a big idea that came to me from Michael Fairman. He visited a number of Senate offices and House offices. Senator CORNYN showed interest in it. My office has written the legislation with Michael Fairman. This Nation is rightfully proud of our veterans. This idea came from a veteran. This idea deserves to be seriously entertained by this Senate and, frankly, by the Defense Department, if we can work with them, on finding ways to implement some of these ideas.

25TH ANNIVERSARY OF TIANANMEN SQUARE

Mr. President, I rise to commemorate an event that happened 25 years ago today not just in Beijing, China, but in other places in China when millions of people across that country, in Tiananmen Square and other places, rallied in support of democracy, human rights, and an end to official corruption.

Like many Americans, I was inspired. At the time, I wasn't a Member of Congress. Living in Ohio, I was inspired by the courage and pursuit of individual fundamental freedoms—freedoms that we hold dear in this country and sometimes take for granted, that are not always granted in other countries around the world. I recall the optimism of that moment and how it was crushed when the tanks rolled in.

Today we assess what the last 25 years meant to the Chinese but also, more importantly, to U.S.-China relations and what our policy should be. China has made tremendous leaps forward in the past 40 years since normalization, but following Tiananmen Square we have missed opportunity after opportunity to integrate China into the global rule-based community of nations to protect our economic interests and to move China in the right direction on political reform.

It is not an easy task, but 25 years later China is still fundamentally undemocratic. It too often refuses to play by the rules—rules that would benefit China short term and long term. The question now is whether China will address the challenge facing it or will it continue to take a more doctrinaire and hardline stance, one that undermines the progress China has made and, because of China's influence, could undermine the global system and regional stability.

In many respects China has reaped the benefits of open trade with the rest of the world while avoiding many of its obligations. Our trade deficit with China at the time of Tiananmen Square 25 years ago stood at \$6 billion; that is, we bought from China \$6 billion in goods more than we sold to China. Last year it grew to 50 times that

amount—\$318 billion—the highest ever. That means almost every single day of the year on the average, every single day of the year, we buy from China \$900 million more in goods than we sell to China. That trade deficit and China's currency manipulation has cost Americans millions of jobs and significantly reduced our Federal budget.

I know what unbalanced, unfair, and not playing on a level playing field trade with China has done to places such as Springfield, OH, Marion, OH, and Chillicothe and Lima, and my hometown of Mansfield, and Ravenna, OH, all over my State, all over the Midwest, all over the country. In the end, we compromised as a nation too much. We bought into the myth that China's economic integration after Tiananmen Square would bring about human rights and respect for the United States and international rules. That is not what has happened.

Through the commission I chair, the Congressional Executive Commission on China, we have tried to honor the memory of Tiananmen Square by making sure that China's obligations toward human rights and the rule of law are not forgotten.

The commission highlighted many concerns: cyber theft threats to democracy in Hong Kong, illegal, unfair trade practices, denial of visas, or threats of denial of visas to foreign journalists, food safety, environmental, and public health concerns, a crackdown on human rights activists, including Ilham Tohti, a peaceful activist for the Uyghur minority group in Tibet.

It is my hope we have an open and transparent debate about our China policy. Whether it be on trade agreements, where we continue to be on the short end every single year, or whether it is about growing Chinese foreign investment in this country, this debate must be given proper weight rather than ignoring our concerns over human rights, the rule of law, labor, public health, and the environment.

Above all, the debate about U.S. policy toward China must include all segments of our society and not the way we typically do trade agreements in this country, supported by newspaper publishers, economists at Harvard, but not fundamentally supported by the American people and the public.

Our workers and small businesses need to be included, NGOs and human rights groups, instead of being led by powerful interest groups such as large corporations. Debate needs to be inclusive and it needs to draw on the interests and aspirations of all parts of American society.

More must be done as we honor 25 years in the memory of Tiananmen Square. The world must continue to seek improvements on China's record of human rights and the rule of law. More must be done. Only by recognizing the legitimate aspirations of its people and the obligations of the international system can China assume the role to fit its history and its size.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

FREEDOM OF SPEECH

Mr. CORNYN. Mr. President, in the wake of some recent Supreme Court decisions touching on our system of campaign finance, there has arisen in the Senate, frankly, this bizarre notion that we are going to amend the Constitution to undo the Bill of Rights, and particularly the First Amendment and its protection of the freedom of speech.

Of course, the proponents don't describe it that way. To hear the majority leader, who testified before the Senate Judiciary Committee yesterday, he said: They are merely trying to keep what he called dark money out of American politics.

By giving Congress the ability to regulate political speech and the means by which that is paid for and disseminated, this amendment would invite all manner of partisan mischief and abuses and effectively dismantle one of the most fundamental liberties secured by our Constitution which makes America the envy of the world, and in many ways unique in that we protect freedom of speech without regard to the content of the speech and without regard to the identity of the speaker, whether they be rich, poor, or a member of the middle class. Whether that opinion is informed or not necessarily well-informed, we believe in the marketplace of ideas where the American people are the only judge as to what they believe the truth is. We don't try to stifle or squelch speakers, particularly in the political process.

As our good friend the Republican leader said yesterday:

If incumbent politicians were in charge of political speech, a majority could design the rules to benefit itself and diminish its opponents. And when roles reversed, you could expect a new majority to try to disadvantage the other half of the country. And on it would go.

So this power the majority leader has proposed in amending the Constitution so Congress could regulate political speech could be an instrument of incumbent protection where the party in power could use that as a weapon against the minority trying to persuade the country that they should be restored to the majority rather than linger as a minority.

Is this really the kind of system our colleagues who are proposing this constitutional amendment want? Well, you have to ask whether they have any realistic belief that this will actually become law. And of course it would have to pass both Houses of the Congress by a two-thirds vote, and it would have to be ratified by three-quarters of the States. I don't think it is an overstatement to say they have no chance of this becoming law.

Why in the world is such an outlandish proposal being made by somebody such as the distinguished majority leader of the Senate and other folks

in his party? Well, it is no exaggeration to say this proposed amendment would undermine American democracy as we know it, so there has to be some other reason other than the substance of the amendment they are trying to get at.

Lest we forget the whole purpose of the First Amendment is to ensure that all political speech—as a matter of fact all speech, period—is protected from government interference, and that is why it is in the Bill of Rights, at the time our country was founded there was a serious debate about whether we needed an explicit Bill of Rights or whether the very structure of our government with its checks and balances and our shared power between the judicial, executive, and legislative branches would itself provide that protection. But the Federalists said, no, we are not going to settle for that. We want an explicit protection of those rights that are not derived from government but which precede government—which don't come from government but come from our Creator.

Under the logic used by the proponents, the government should change this provision in the Bill of Rights that has been the law of the land for more than 200 years and now start regulating how much money newspapers, magazines, and Web sites are allowed to spend on articles concerning politics and public policy. After all, when media outlets publish this information, they are using their financial advantage over ordinary citizens to be able to get their views out to the public. And, of course, they are trying to persuade citizens and voters and trying to affect political outcomes, both in terms of public policy choices and elections.

The majority leader, if he were on the floor, might say: Well, we have a provision in here that we will not grant Congress the power to abridge freedom of the press. If you could turn off and on the money by which the press disseminates its point of view, if you can regulate perhaps even to the point of zero on the part of political actors and their ability to disseminate their views in the public or influence voters before the election, this carveout is effectively meaningless.

It would most certainly grant Congress the power to abridge the free speech of individuals and groups as disparate as the American Civil Liberties Union, the National Rifle Association, and the Sierra Club, which obviously have different views but enjoy and are entitled to the same freedom to speak their views and persuade people to their point of view as much as anybody else. It would also grant Congress the power to abridge other freedoms in the First Amendment, such as freedom of assembly and freedom to petition government for the redress of grievances, and it would allow State governments to ride roughshod even over freedom of the press.

You have to wonder why in the world would intelligent, highly educated, experienced Senators—people who are

knowledgeable about all of the matters I have talked about—propose such a wrongheaded idea and one they know will never become the law of the land?

Well, unfortunately, this is part of an effort to intimidate and stigmatize people from participating in the political process. We know the majority leader comes out to the floor and talks daily about the Koch brothers, whom he happens to disagree with, and he disagrees with their right and ability to participate in the political process and to affect elections. He doesn't talk about other political actors, such as organized labor, which has essentially been carved out of the limitations on political contributions and political spending. He doesn't talk about people such as Tom Steyer, a former hedge fund manager who says he will spend \$100 million against anyone who supports the Keystone Pipeline or anyone who opposes his views on climate change.

This cherry-picking in terms of trying to intimidate people and to squelch political speech is pretty apparent. It becomes apparent because obviously the majority leader is very worried about the upcoming midterm election and what might happen when we see the pushback from voters in the Senate races all across the country over the last 5 years, and this great, huge growth in government and its intrusiveness in their lives.

Here is the bottom line: Free speech is free speech, period. To quote a recent Supreme Court decision:

There is no right more basic in our democracy than the right to participate in electing our political leaders.

As they said, there is nothing more basic.

As I mentioned a moment ago, thankfully the Founders were wise enough not only to give us the Bill of Rights and our Constitution but to make it very difficult to amend it in the first place, so we know the majority leader's amendment has no chance of actually passing. Yet its mere introduction, the fact that a major political party and a majority in the Senate apparently believes in shrinking the First Amendment in order to weaken their political opponents, should be a cause of broadspread concern in the country. People ought to ask the question: Why in the world would you propose to do something as draconian and as damaging as that?

Well, it is the kind of amendment we would expect to see not in the greatest deliberative body in the world, and certainly not in the Senate, but maybe some banana republic or some country that does not have our experience or our foundation in constitutional self-government. Therefore, it is not merely enough to reject this amendment and then quickly move on to something else. We need to send a clear, unambiguous message that the Bill of Rights is not up for debate. We need to send a clear, unambiguous message that our First Amendment freedoms

represent the bedrock of American democracy, and we will not agree to undermine that, damage it, or otherwise impair it on our watch.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, if my friend from Wyoming wishes to speak, we will go through the process for 3 or 4 minutes, and we will put the Senator on what we call automatic pilot if he cares to speak.

Mr. BARRASSO. I will be less than 2 minutes.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, on Thursday at 1:45 p.m., all postclosure time be expired and the Senate proceed to vote on the confirmation of Calendar No. 798; further, that following the vote on that nomination, which is Burwell, the Senate proceed to the consideration of Calendar No. 519, and the Senate proceed to vote on the confirmation of the nomination; further, that if confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nomination be printed in the RECORD, and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. With this agreement, there will be two rollcall votes beginning at 1:45.

Mr. President, we are moving this up because we have 10 or so Senators who are going to the 70th anniversary of Normandy.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to morning business with Senators being allowed to speak up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT LOAN

Mr. LEVIN. Mr. President, in the fall of last year, Adrian College in Adrian, MI, made an announcement that received national attention. Adrian, one of the finest private liberal arts colleges in America, made a promise to prospective students: Beginning this fall, incoming students who graduate from Adrian carrying student loan debt and are unable to find a job that pays above a set income will be eligible for support from the college to pay part or all of that student's loan payments. The program, known as AdrianPlus, will ensure that students who are not able to find good-paying jobs after graduation will still be able to begin

their work careers without facing crushing debt payments all alone.

This announcement was notable for two reasons. The first is that it represents a visionary choice on the part of President Jeffrey Docking and the rest of Adrian's leadership. I am grateful to them for showing the kind of leadership that makes Adrian a proud example of my State's outstanding higher education institutions. Adrian has long been recognized not just for the quality of its instruction, but for its efforts to make that education accessible and affordable, and this is just the latest example of the school's forward thinking.

The second reason this announcement was so notable is that it was so necessary.

As President Docking said in announcing the program, "Student debt load continues to be a national concern." That is surely the case. According to the Project on Student Debt, nearly two-thirds of graduates from Michigan colleges and universities leave school with student debt. They owe an average of more than \$28,000. The rising tide of student loan debt threatens to overwhelm the financial futures of these graduates before they can even get their working lives started. And the looming prospect of heavy loan debt threatens to keep many young people from even reaching a college campus.

Adrian College's program will not completely erase this problem, but it is a good start. Likewise, no single piece of legislation will make college more affordable, increase access to education for middle-class families, or eliminate the mountain of debt many students carry. But it is time for us to start taking some steps in the right direction. A number of Senators have introduced or are working on student loan legislation, including legislation allowing students to refinance their debt at lower interest rates. I believe the Senate should take up, debate and pass legislation to lighten the all-too-formidable load. We should explore other ways to ensure that college education is indeed affordable to all.

Study after study shows that a college education makes an enormous difference in allowing Americans to pursue rewarding careers. But if we can not ensure that all Americans have access to higher education, we shut off access to the American dream. We cannot let the disturbing trends in student debt and college costs continue unabated, and I hope that, inspired by the Adrian College example, we will act to halt and reverse those trends.

VOTE EXPLANATION

Mr. UDALL of Colorado. Mr. President, due to unavoidable family commitments, I was unable to cast votes relative to rollcall vote Nos. 164 through 170 on Monday, June 2, and Tuesday, June 3, 2014. Had I been present, I would have voted yea in each instance.

MASTROIANNI CONFIRMATION

Ms. WARREN. Mr. President, earlier today, the Senate confirmed Mark Mastroianni to fill a judicial vacancy in Western Massachusetts on the District Court for the District of Massachusetts.

Mr. Mastroianni came highly recommended by the Advisory Committee on Massachusetts Judicial Nominations. The advisory committee is comprised of distinguished members of the Massachusetts legal community, including prominent academics and litigators, and is chaired by former Massachusetts district court judge Nancy Gertner. Their recommendation reflects the strong sense of the Massachusetts legal community—and in particular the legal community of Western Massachusetts—that he will make an excellent district court judge.

Mr. Mastroianni is a true son of Western Massachusetts—born in Springfield and a lifelong resident of Hampden County. Prior to his confirmation, he served as the elected district attorney for Hampden County—a position he has held since 2011. He graduated with honors from the American International College in Springfield, MA and went on to earn his law degree from Western New England College School of Law—also in Springfield, MA.

Mr. Mastroianni began his career in the Hampden County district attorney's office. He served there as an assistant district attorney for over 5 years, gaining prosecutorial experience in a wide variety of district and superior court matters. He then moved into private practice, where he built a significant career as a defense attorney representing clients in criminal and civil matters. Over the course of 16 years, he represented clients in matters before the Massachusetts State trial courts and appeals courts, as well as the district court to which he has been nominated.

In November 2010, Mastroianni ran as an independent and was successfully elected to serve as the district attorney for Hampden County in the western part of Massachusetts—a position that returned him to lead the office where he began his career. As district attorney, he was responsible for managing the prosecution of all cases in the 23 cities and towns that make up Hampden County.

Aside from the impressive qualifications of this candidate, the fact of Mark's nomination is particularly important because the seat he has been nominated to fill has been vacant for far too long—since U.S. District Court Judge Ponsor took senior status in 2011. The vacancy has strained the Federal judicial system in Western Massachusetts, causing cases to be postponed, forcing judges from Boston to travel to Springfield to hold hearings, and impeding the ability of citizens to get their day in court. Filling this vacancy as quickly as possible has been a top priority for me since I arrived in

the Senate last year, and his confirmation will significantly improve the administration of justice in Western Massachusetts.

I am proud to have recommended Mark Mastroianni to President Obama. He is an independent-minded district attorney whose diverse litigation experiences, both as a top prosecutor and as a top defense attorney, will enrich the Federal bench in Massachusetts. I have no doubt that he will have a long and distinguished career as a member of the judiciary.

• Mr. LEE. Mr. President, on April 11 of this year President Obama nominated Sylvia Burwell to be the new Secretary of the Department of Health and Human Services—HHS—a position that was vacated that same day by former Secretary Kathleen Sebelius.

Article II, Section 3, Clause 2 of the United States Constitution grants the President, as the chief executive, plenary power to nominate members of his cabinet. But that same clause reserves the power of appointment—that is, the power to accept or reject the nominee—exclusively to the Senate.

The Constitution explains this unique division of power as follows: the President “shall nominate, and”—this is important—“by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other officers of the United States.”

Far from a perfunctory practice, the responsibility to review the fitness of presidential nominees is one of the essential mechanisms in our Constitution's system of checks and balances.

And for the Members of this body who took an oath to “support and defend” the Constitution, this is one of the most solemn duties incumbent upon those occupying the office of United States Senator.

I urge my fellow Senators to demand that prior to confirmation Ms. Burwell provide concrete, specific, and forthright answers—in writing—to the questions that have been asked of her by Members of this body.

I refuse to sit idly by and witness the same Washington charade in which stated commitments to transparency are more important than actual demonstrations of candor.

If we do not insist that Ms. Burwell's appointment be contingent upon the transparency of her confirmation process, we will have established a dangerous precedent for the future of this body.

Let's not forget: much of the authority that resides in HHS ultimately derives from the delegation of authority from Congress. And whenever Congress delegates power to the executive branch, we do so based on the premise that we retain the power of oversight.

Therefore, we cannot, in good faith, hand over the reins of one of the most important executive departments at a time when questions remain unanswered and information is still undis-

closed. Doing so would undermine the institutional prerogatives of the Senate.

When we only partially carry out our constitutional duties to check and balance the other branches, we alone are to blame for the continued accumulation of power in the executive, where unelected bureaucrats are not always as wise or as impartial as their proponents claim them to be.

The unprecedented accumulation of power in the executive today is a demonstrable fact. But it remains an open question whether we in Congress care enough to do anything about it.

At this point, there is good reason for pessimism—if the kind of acquiescence demonstrated in this confirmation process is any indication.

But I remain optimistic, because I know that the American people still get it. Outside the beltway, Americans still instinctively understand the universal truth articulated by James Madison, the father of the Constitution, over 200 years ago—that “The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.”

This is precisely the type of accumulated power possessed by executive departments such as HHS.

This power cannot be curtailed or dispersed overnight. But it will continue to expand inexorably toward tyranny unless Members of Congress—exercising our powers as officers of a separate and coequal branch of government—don't push back.

We can begin by subjecting this nomination to the close scrutiny it deserves.

The first thing we must recognize is that this is not the average presidential nomination. We are not talking about the next secretary of the Department of Motor Vehicles. Quite the opposite: Ms. Burwell has been nominated to preside over one of the largest and most important departments in the Federal Government. No matter who the nominee, this is a job that should be filled with caution and circumspection.

By way of illustration, the HHS Secretary oversees an annual operating budget of about \$1 trillion—that is nearly 25 percent of all Federal spending—as well as 11 separate operating divisions, including the very important Centers for Medicare and Medicaid Services—CMS—and the Food and Drug Administration—FDA.

Moreover, the next HHS Secretary is going to assume the helm of an executive leviathan in the midst of implementing the Patient Protection and Affordable Care Act. Obamacare is not only the most complex—and controversial—law in recent memory, but it delegates an unprecedented amount of authority to the HHS Secretary.

Often this delegation comes in the form of sweeping, open-ended grants of

power that give the Secretary discretion to shape and reshape the law. Like an unending series of blank checks to the bureaucracy, Obamacare contains 700 instances of the ultimate *carte blanche*—"The Secretary shall . . ."—to give the Secretary wide latitude to "develop standards," "award grants," "establish committees," "make adjustments," etc.

This kind of massive delegation of authority is justified—especially by those who see it as a convenient way to avoid the difficulties of lawmaking—on the theory that Congress will retain and exercise some degree of oversight.

And it is true that both chambers of Congress have the ability to hold hearings in which we subpoena executive officials to testify and answer questions about laws, rules, and regulations under their jurisdiction. But as we have seen over the past few years with the implementation of Obamacare, this power is significantly impeded if those executive officials refuse to answer our questions.

These facts raise the central question that ought to guide the Senate's consideration of Ms. Burwell's nomination—namely, how will Ms. Burwell exercise the expansive authority delegated to HHS vis-à-vis the powers and responsibilities of Congress?

Much of the job of the next HHS Secretary will be to facilitate Congressional oversight of the Department, especially in its implementation of Obamacare. Therefore, the Senate's decision should be contingent upon Ms. Burwell's record of engaging with Congress.

Sadly, Ms. Burwell's tenure as the Director of the Office of Management and Budget, as well as her performance in the Senate committee confirmation hearings, gives me concern that she will continue in the pattern of obfuscation and evasion established by outgoing Secretary Kathleen Sebelius.

I therefore respectfully submit that we should proceed cautiously in consideration of this nominee. More cautiously, indeed, than we have up to this point.

For over the past 6 weeks, since the President nominated Ms. Burwell, many in this body have neglected our end of the constitutional division of power—preferring to act as if Ms. Burwell's appointment was a fait accompli.

This state of affairs is troubling—and not simply because questions remain unanswered, and information undisclosed, about Obamacare. The problem is more fundamental than any one law.

The Senate's reluctance to protest against the equivocation and distortion seen in this confirmation process undermines the separation of powers and the system of checks and balances upon which our constitutional order depends.

Respecting and upholding these principles of our Constitution is not a matter of adhering to some arcane formality or following some outdated tradition of the 18th century.

At issue here is whether or not this institution still believes in the reason our Constitution divides power in the first place. Do we still believe, as Madison said, that "power is of an encroaching nature, and that it ought to be effectually restrained from passing the limits assigned to it"?

If we do, then we must employ the tools at our disposal to assert our institutional prerogatives. Doing so will demonstrate to the other branches that the power of government is not simply up for grabs.

Here again Madison's insights are instructive: in the famous Federalist 51, he says, "the great security against a gradual concentration of the several powers in the same department, consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others. . . . Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place."

But if we disagree with Madison about the encroaching nature of power . . . if we are undisturbed by the great accumulation of power in the executive branch, which predates and will outlive Obama's presidency . . . if we prefer to elevate policy preference and party allegiance over love of liberty and the constitutional rights of Congress . . . then we must not be surprised when—not if—our government takes on the character and the spirit of tyranny.

Let me be clear: the kind of tyranny that threatens us is not of the Saddam Hussein or Bashar al-Assad variety. The tyrannies of Saddam's Iraq and, today, Assad's Syria are barbarous, murderous dictatorships that extinguish every semblance of freedom and maintain their power through violence and brutality.

What I am talking about is the kind of soft despotism that arises when power is consolidated under the auspices of a paternal, benevolent government.

At the end of his study of democracy in 19th-century America, Alexis de Tocqueville explained how this kind of tyranny could emerge within a democratic republic such as ours. Standing as a kind of warning for us today, Tocqueville envisioned "an immense and tutelary power" that "extends its arms over society as a whole," covering it "with a network of small, complicated, painstaking, uniform rules through which the most original minds and the most vigorous souls cannot clear a way to surpass the crowd." It does not "break wills," he said, "but it softens them, bends them, and directs them; it rarely forces one to act"—even Tocqueville didn't foresee the individual mandate—"but it constantly opposes itself to one's acting; it does not destroy, it prevents things from being born."

This is certainly a dark image. But we cannot forget that Tocqueville was bullish about America. He believed

that American democracy had the right attributes needed to avoid descending to these depths.

Chief among these attributes were our constitutional structures that divided power and, more importantly, the spiritedness, courage, and love of freedom that animated the American people and transformed the mere "parchment barriers" of the Constitution into true limits on governmental power.

It is precisely this spirit of freedom that the Senate must recover if we are going to fulfill our constitutional obligations in this confirmation process. Once we recognize the need to assert and defend our interests as a separate and coequal branch of the government, we will begin to focus on what is really at stake in our consideration of this nominee.

The main issue here is not Ms. Burwell's character or credentials—both of which are first-rate—but whether or not her appointment will improve or further deteriorate the legislature's oversight over the executive departments to which Congress has delegated vast amounts of authority.

The question is not whether Ms. Burwell deserves to be HHS Secretary, but whether the HHS, under Ms. Burwell's management, will continue in the pattern of obstinate autonomy and limited cooperation established under her predecessor.

If the answer is no, we cannot possibly vote to confirm this nominee.●

IN REMEMBRANCE OF D-DAY

Mr. HELLER. Mr. President, I wish to remember and honor the brave Nevadans and all Americans who risked their lives defending our liberty on the beaches of Normandy, France 70 years ago. The sacrifices our brave soldiers made on this day set America and the world on a path to peace, freedom, and liberty that all Americans enjoy today.

At dawn on June 6, 1944, the Allied powers stormed the beaches of Normandy and started their march across Europe to defeat Hitler. It was one of the most important days in American history and one the biggest tests our Nation has ever faced. What is known as D-day marked the beginning of the demise of one of the worst enemies that the United States has ever had to face. The brave men that stormed Omaha Beach that day sacrificed their lives, their ambitions, and their relationships with loved ones to liberate those who were enslaved by the Nazis. Their courage demonstrated that America would not sit idly by as countries across the Atlantic suffered, reaffirming America's belief that violations of basic human rights will not be tolerated. Their unwavering service is what has made this country so great and a beacon of democracy. These men believed that freedom was worth fighting for and that reflects what is most inspiring about the United States of America.

It is an honor to be able to commemorate this day on behalf of my fellow Nevadans as we remember those who made the ultimate sacrifice and died to defend freedom. Our soldiers' commitment to this country, as well as their dedication to their families and communities, exemplified why the legacy of all World War II veterans must be preserved for generations to come. These heroes truly are the "greatest generation"—selflessly serving not for recognition, but because it was the right thing to do. As a member of the Senate Veterans' Affairs Committee, I recognize that Congress has a responsibility not only to honor these brave individuals, but to ensure they are cared for after their return home. I remain committed to upholding this promise for our veterans and servicemembers in Nevada and throughout the Nation.

I ask that we remember the Americans who stood against tyranny and persevered. The brave men and women who risked everything to come to the aid of others deserve our respect and appreciation, and I am both humbled and honored to recognize them here today. May we never forget the brave actions by these heroes that allowed the Allied troops to defeat tyranny.

THANKING SENATE PAGES

Ms. HEITKAMP. Mr. President, I want to express my gratitude to the Senate pages that have served the Senate these past few months. The job of a Senate page is very important to the operations of the Senate and it comes with many responsibilities. These young high school students dedicate their time and talents to serve the Senate and help us carry out our duties while at the same time attending classes. I am grateful for the hard work they do each day to help make the Senate run smoothly and efficiently. Their willingness to serve their country and this body is deeply appreciated.

I want to express my personal thanks to each one of these pages: Olivia Alvarado, Alaska; Alexis Berry, Michigan; Peyton Cuzzart, Kentucky; Cally Decherd, Texas; Jim Devers, Oklahoma; Sonja France, Montana; Seth Glidewell, Alabama; Cole George, Alaska; Ammishaddai Grand-Jean, Georgia; Brandon Greene, Rhode Island; Susie Hawthorne, Montana; Jack Hostager, Iowa; Ashton Hunter, Nevada; Kathryn Jason, Alabama; Isaac Karlan-Mason, Vermont; Bowie Lam, Maine; Jason Lin, Hawaii; Layton Little, Mississippi; Dorothea Mosman, Oregon; Jody Ostrander, Nevada; Lucas Reed, Kentucky; Michael Regard, Kentucky; Riley Sanborn, Virginia; Grace Schaub, Pennsylvania; Adele Schenk, Illinois; Jordan Shub, Pennsylvania; Madeline Toy, Tennessee; Colton Williams, Utah; and Miriam Young, Connecticut.

I am so very proud of each and every one of them and commend them for their dedication and commitment. I, along with the entire Senate, wish them all the best in their future endeavors.

ADDITIONAL STATEMENTS

TRIBUTE TO COMMANDER ROBERT ADAMS HATCH

• Mr. ISAKSON. Mr. President, I wish to honor CDR Robert Adams Hatch, who retired from the U.S. Navy on June 1, 2014, after more than 28 years of honorable service.

Commander Hatch is a supply corps/logistics officer 3105 and retired following his final assignment in Voluntary Training Unit 6767 Atlanta at the Navy Operational Support Center at Dobbins Air Reserve Base in Marietta, GA. Prior to his service at Dobbins ARB, he most recently completed a 3-year assignment in Joint Operations with Navy Reserve Joint Staff South in Suffolk, VA, supporting the Joint Chiefs of Staff. Additionally, he was commanding officer of the 50-member Operational Support Unit 0867 in Atlanta, GA, from May 2007 through April 2009.

From 1994 to 2003, Commander Hatch spent much of his career overseas with the Joint Contact Team Program military-to-military contacts program in Eastern Europe as part of the Chairman of the Joint Chiefs of Staff initiative established in 1992 to illustrate the standard of U.S.-style military under civilian control, and to promote peace, stability, military professionalism and closer ties to NATO for former Communist countries in Eastern Europe. He served on the Military Liaison Team, living and working in Albania under arduous conditions from 1994 to 1998, and was twice evacuated from Albania in March 1997 and August 1998. After the second evacuation in 1998, then-Lieutenant Commander Hatch worked at Headquarters, United States European Command/ECJ5-J, as joint contact team program desk officer for Poland, Ukraine, Georgia, Moldova, Armenia and Azerbaijan. He returned to the United States in 2003.

Commander Hatch is also a key team leader on the Atlanta Funeral Honors Team, having conducted more than 450 Navy, Coast Guard, and joint military funerals for Reserve and Active Duty veterans since 2008.

Born in Abington, PA, Commander Hatch moved in 1972 to Atlanta, GA, and grew up in that great city. His father, CAPT James C. Hatch, served in the U.S. Navy Supply Corps, and was a classmate of President Jimmy Carter at the Naval Academy. His father retired after dedicating 26 years of active service, including World War II, and in the Korea and Vietnam wars. Following his retirement, I had the pleasure of working with Jim Hatch at Northside Realty. And the family's Georgia credentials don't stop there. Captain Jim Hatch's brother, Edwin I. Hatch, was president of Georgia Power Company, and the Edwin I. Hatch Nuclear Plant, located near Baxley, GA, was duly named in tribute to his leadership.

In addition to his distinguished military career, CDR Robert Hatch has had

a meaningful civilian life, including 4 years with Coca-Cola USA. He is currently managing director and independent marketing associate of Ignite/Stream Energy, a funeral attendant with Service Corps International in Atlanta, and an actor participating in movies and television shows filming in Georgia.

Commander Hatch's military decorations include the Defense Meritorious Service Medal, four Joint Service Commendation Medals, Navy Commendation Medal, six Joint Meritorious Unit Awards, Navy Meritorious Unit Commendation, two National Defense Service Medals, Armed Forces Expeditionary Medal, Global War on Terrorism Service Medal, Sea Service Deployment Ribbon, nine Navy & Marine Corps Overseas Service Ribbons, Armed Forces Reserve Medal and a Navy Pistol Marksmanship Medal.

I send my great thanks to Commander Hatch for his extensive meritorious service to our proud nation, and I thank and congratulate his family and friends for supporting his service to the United States of America.●

ROSLYN, SOUTH DAKOTA

• Mr. JOHNSON of South Dakota. Mr. President, I wish to recognize the 100th anniversary of Roslyn, SD. Since its founding in 1914 the city has flourished from its humble pioneer origins to a vibrant South Dakota community. The people of Roslyn will be celebrating their centennial anniversary the weekend of June 20–22.

Named by the area's first postmaster after his native city in Scotland, the township was moved from Old Roslyn to its current location alongside the Soo Railroad. In 1914 on the same day that Roslyn's lots were first sold at public auction, a troupe of entertainers performed for the community, setting a lively foundation for the city.

Residents of Roslyn will start off the centennial celebration with an antique tractor run. The weekend will continue with musical concerts, a 5k walk/run, and many other activities. On Sunday, the festival will wrap up with a non-denominational service and a string band performance by Threshing Bee.

Small towns like Roslyn embody what it means to be a South Dakotan community. I am pleased to recognize the achievements of Roslyn and to offer my congratulations to the residents of the town on this historic milestone.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages

from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2422. A bill to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2432. A bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5918. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Administrator's Semiannual Management Report to Congress for the period from October 1, 2013 through March 31, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5919. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Further Guidance on the Implementation of FATCA and Related Withholding Provisions" (Notice 2014-33) received in the Office of the President of the Senate on June 2, 2014; to the Committee on Finance.

EC-5920. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "HHS Secretary's Efforts to Improve Children's Health Care Quality in Medicaid and CHIP"; to the Committee on Finance.

EC-5921. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Interim Report to Congress on the Community First Choice (CFC) Option"; to the Committee on Finance.

EC-5922. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-5923. A joint communication from the Deputy Secretary of Veterans Affairs and the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report entitled "Veterans Affairs and Department of Defense Joint Executive Committee Fiscal Year 2013 Annual Report"; to the Committee on Veterans' Affairs.

EC-5924. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the

report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Commercial and Industrial Electric Motors" (RIN1904-AC28) received during adjournment of the Senate in the Office of the President of the Senate on May 30, 2014; to the Committee on Energy and Natural Resources.

EC-5925. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a semiannual report relative to the status of the Commission's licensing activities and regulatory duties; to the Committee on Environment and Public Works.

EC-5926. A communication from the Acting Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Preheat and Interpass Temperature Control for the Welding of Low-Alloy Steel for Use in Fuel Reprocessing Plans and in Plutonium Processing and Fuel Fabrication Plants" (Regulatory Guide 3.29) received in the Office of the President of the Senate on June 2, 2014; to the Committee on Environment and Public Works.

EC-5927. A communication from the Acting Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "NRC Acquisition of Supplies and Services" (Management Directive 11.1) received in the Office of the President of the Senate on June 2, 2014; to the Committee on Environment and Public Works.

EC-5928. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Intermediary Relending Program" (RIN0570-AA86) received during adjournment of the Senate in the Office of the President of the Senate on May 28, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5929. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2014-2015 Marketing Year" (Docket No. AMS-FV-13-0087; FV14-985-1 FR) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5930. A communication from the Associate Administrator of the Cotton and Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "User Fees for 2014 Crop Cotton Classification Services to Growers" ((RIN0581-AD35) (Docket No. AMS-CN-13-0085)) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5931. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Advantame" (Docket No. FDA-2009-F-0303) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-5932. A communication from the Acting Chief of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Vet-

erans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayment for Medications in 2014" (RIN2900-A091) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2014; to the Committee on Veterans' Affairs.

EC-5933. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Accelerated Cost Recovery System" (Rev. Rul. 2014-17) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2014; to the Committee on Finance.

EC-5934. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property" (Rev. Rul. 2014-16) received during adjournment of the Senate in the Office of the President of the Senate on May 27, 2014; to the Committee on Finance.

EC-5935. A communication from the Chairman of the Joint Chiefs of Staff, transmitting, pursuant to law, a report relative to the "2014 Report to Congress on Vulnerability Assessments for Fiscal Year 2013" (OSS-2014-0741); to the Committee on Armed Services.

EC-5936. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Carbon Monoxide Maintenance Plan, Conformity Budgets, Emissions Inventories; State of New York" (FRL No. 9911-56-Region 2) received during adjournment of the Senate in the Office of the President of the Senate on May 30, 2014; to the Committee on Environment and Public Works.

EC-5937. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions for Permitting of Particulate Matter with Diameters Less Than or Equal to 2.5 Micrometers (PM2.5)" (FRL No. 9909-35-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on May 30, 2014; to the Committee on Environment and Public Works.

EC-5938. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a Determination and Certification under Section 40A of the Arms Export Control Act relative to countries not cooperating fully with United States antiterrorism efforts; to the Committee on Foreign Relations.

EC-5939. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-039); to the Committee on Foreign Relations.

EC-5940. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-048); to the Committee on Foreign Relations.

EC-5941. A joint communication from the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, transmitting a request relative to issuing a travel restriction on senior officials' travel to Afghanistan for the period of June 1, 2014 through September 20, 2014; to the Committee on Armed Services.

EC-5942. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense assigning women to previously closed positions in the Army's 160th Special Operations Aviation Regiment; to the Committee on Armed Services.

EC-5943. A communication from the Principal Deputy Assistant Secretary of Defense (Reserve Affairs), Performing the Duties of the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to Reserve Component Equipment Procurement and Military Construction for fiscal year 2015; to the Committee on Armed Services.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BEGICH (for himself and Mr. PRYOR):

S. 2425. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to reduce the shortage of psychiatrists in the Veterans Health Administration of the Department of Veterans Affairs by repaying loans for certain psychiatrists, to carry out a pilot program to provide housing allowances to health care providers of the Veterans Health Administration who accept assignment at rural and highly rural clinics, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TOOMEY (for himself and Mr. MANCHIN):

S. 2426. A bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself and Mr. ENZI):

S. 2427. A bill to authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEAHY:

S. 2428. A bill to amend title 38, United States Code, to ensure that the Department of Veterans Affairs provides temporary care in the most cost effective manner when patients are relocated during medical facility construction and renovation projects, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WARNER (for himself and Mr. THUNE):

S. 2429. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided educational assistance to employer payment of interest on certain refinanced student loans; to the Committee on Finance.

By Mr. ROBERTS:

S. 2430. A bill to establish the Office of the Special Inspector General for Monitoring the Affordable Care Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. 2431. A bill to direct the Secretary of the Interior to conduct a special resource study of the West Hunter Street Baptist Church in Atlanta, Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. WARREN (for herself, Mr. FRANKEN, Mr. HARKIN, Mr. REED, Mr. DURBIN, Ms. BALDWIN, Mr. ROCKEFELLER, Mr. REID, Mrs. FEINSTEIN, Mrs. BOXER, Mrs. MURRAY, Ms. LANDRIEU, Ms. STABENOW, Mr. CARDIN, Mr. BROWN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL of Colorado, Mrs. SHAHEEN, Mrs. HAGAN, Mr. MERKLEY, Mr. BEGICH, Mr. BENNET, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. HEITKAMP, Mr. MARKEY, Mr. BOOKER, Mr. UDALL of New Mexico, Mr. HEINRICH, Mr. SANDERS, Mr. MENENDEZ, and Mr. SCHUMER):

S. 2432. A bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes; read the first time.

By Mr. GRAHAM:

S.J. Res. 37. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Mr. RUBIO (for himself and Mr. NELSON):

S.J. Res. 38. A joint resolution conferring honorary citizenship of the United States on Bernardo de Galvez y Madrid, Viscount of Galveston and Count of Galvez; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. Res. 467. A resolution recognizing the 100th Anniversary of Fishermen's Terminal in the Port of Seattle and celebrating Seattle's rich maritime heritage and its importance to the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 506

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 506, a bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers.

S. 539

At the request of Mrs. SHAHEEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 539, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 632

At the request of Mr. MCCAIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 632, a bill to amend the Food, Conservation, and Energy Act of 2008

to repeal a duplicative program relating to inspection and grading of catfish.

S. 958

At the request of Mr. UDALL of Colorado, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 958, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 1188

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1188, a bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act.

S. 1214

At the request of Mr. BROWN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1214, a bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government.

S. 1249

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1249, a bill to rename the Office to Monitor and Combat Trafficking of the Department of State the Bureau to Monitor and Combat Trafficking in Persons and to provide for an Assistant Secretary to head such Bureau, and for other purposes.

S. 1256

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1256, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases.

S. 1324

At the request of Mr. BARRASSO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1324, a bill to prohibit any regulations promulgated pursuant to a presidential memorandum relating to power sector carbon pollution standards from taking effect.

S. 1406

At the request of Ms. AYOTTE, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1410

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1410, a bill to focus limited Federal resources on the most serious offenders.

S. 1445

At the request of Mr. PRYOR, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 1495

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1495, a bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes.

S. 1647

At the request of Mr. ROBERTS, the name of the Senator from North Dakota (Ms. HERTKAMP) was added as a cosponsor of S. 1647, a bill to amend the Patient Protection and Affordable Care Act to repeal distributions for medicine qualified only if for prescribed drug or insulin.

S. 1708

At the request of Mr. MERKLEY, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. 1708, a bill to amend title 23, United States Code, with respect to the establishment of performance measures for the highway safety improvement program, and for other purposes.

S. 1761

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1761, a bill to permanently extend the Protecting Tenants at Foreclosure Act of 2009 and establish a private right of action to enforce compliance with such Act.

S. 1875

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 1875, a bill to provide for wildfire suppression operations, and for other purposes.

S. 1883

At the request of Mrs. HAGAN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1883, a bill to extend duty-free treatment for certain trousers, breeches, or shorts imported from Nicaragua, and for other purposes.

S. 2004

At the request of Mr. BEGICH, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2004, a bill to ensure the safety of all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, as they travel on and across federally funded streets and highways.

S. 2013

At the request of Mr. RUBIO, the names of the Senator from West Vir-

ginia (Mr. MANCHIN), the Senator from Illinois (Mr. KIRK), the Senator from Indiana (Mr. COATS), the Senator from Utah (Mr. HATCH), the Senator from Mississippi (Mr. WICKER), the Senator from Tennessee (Mr. CORKER), the Senator from Missouri (Mr. BLUNT) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 2013, a bill to amend title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

S. 2091

At the request of Mr. HELLER, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 2091, a bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 2125

At the request of Mr. WALSH, his name was added as a cosponsor of S. 2125, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 2162

At the request of Mrs. MURRAY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2162, a bill to amend the Internal Revenue Code of 1986 to establish a deduction for married couples who are both employed and have young children and to increase the earned income tax credit for childless workers, and to provide for budget offsets.

S. 2208

At the request of Mr. KIRK, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 2208, a bill to allow the Secretary of the Treasury to rely on State examinations for certain financial institutions, and for other purposes.

S. 2329

At the request of Mrs. SHAHEEN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Delaware (Mr. COONS), the Senator from Nevada (Mr. HELLER), the Senator from Maine (Ms. COLLINS) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2329, a bill to prevent Hezbollah from gaining access to international financial and other institutions, and for other purposes.

S. 2358

At the request of Mr. UDALL of Colorado, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2358, a bill to amend title 10, United States Code, to authorize additional leave for members of the Armed Forces in connection with the birth of a child.

S. 2363

At the request of Mrs. HAGAN, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 2363, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 2370

At the request of Mr. COBURN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 2370, a bill to rescind unused earmarks provided for the Department of Transportation, and for other purposes.

S. 2405

At the request of Mr. REED, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2405, a bill to amend title XII of the Public Health Service Act to reauthorize certain trauma care programs, and for other purposes.

S. 2408

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2408, a bill to authorize the exploration, leasing, development, and production of oil and gas in and from the western portion of the Coastal Plain of the State of Alaska without surface occupancy, and for other purposes.

S. 2409

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2409, a bill to authorize the exploration, leasing, development, production, and economically feasible and prudent transportation of oil and gas in and from the Coastal Plain in Alaska.

S. 2413

At the request of Mr. SANDERS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2413, a bill to improve the provision of medical services and benefits to veterans, and for other purposes.

S. 2414

At the request of Mr. MCCONNELL, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 2414, a bill to amend the Clean Air Act to prohibit the regulation of emissions of carbon dioxide from new or existing power plants under certain circumstances.

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 2414, *supra*.

S. 2422

At the request of Mr. SANDERS, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Delaware (Mr. COONS), the Senator from Massachusetts (Mr. MARKEY), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Montana (Mr. WALSH), the Senator from Montana (Mr. TESTER) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2422, a bill to improve the access of veterans to medical services from the Department of Veterans Affairs, and for other purposes.

S.J. RES. 36

At the request of Mr. MENENDEZ, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S.J. Res. 36, a joint resolution relating to the approval and implementation of the proposed agreement for nuclear co-operation between the United States and the Socialist Republic of Vietnam.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY:

S. 2428. A bill to amend title 38, United States Code, to ensure that the Department of Veterans Affairs provides temporary care in the most cost effective manner when patients are relocated during medical facility construction and renovation projects, and for other purposes; to the Committee on Veterans' Affairs.

Mr. LEAHY. Mr. President, following the resignation of Secretary Shinseki last week, it is time for some deep soul-searching about the future of the Department of Veterans Affairs. As details slowly emerge from the inspector general's investigation, I am struck by a disturbing aspect of organizational culture within the VA that prioritizes meeting goals and checking boxes instead of providing true quality care for veterans. Secretary Shinseki himself was a decorated veteran, and I am sure he must have been as frustrated as all of us to find some of the things that were happening.

There is an overwhelming current rushing toward the path of least resistance for "reporting" care for the men and women who served this Nation admirably and with dedication. But we should not lose sight of the hard work and commitment of the many men and women working in the VA system every day striving to provide effective and timely care to veterans. We have to tell ourselves that there is really no shortcut to quality care for veterans. The VA has rightly been under intense pressure and scrutiny to live up to the promise we made to veterans when they agreed to serve.

We have many people in this body and the other body who voted for a war that I think historians will call a disaster—the war in Iraq. For the first time in America's history, they voted for a war and did not do anything to pay for it—no tax to pay for it or anything else. Ten years later, though, they say: We have to watch the cost of VA health care and all that; we have to find the money. Well, that did not bother them when they sent these men and women to war. Let's take care of them now.

It has become apparent that at facilities across the United States some VA employees have decided to choose to simply tell those above them and those of us with oversight responsibility what they want to hear, over providing quality care in a timely fashion. And that is appalling and unacceptable.

But most VA employees are tireless servants. Many are veterans them-

selves. For those men and women who give their all for our veterans, it is becoming evident that the system of incentives and disincentives may have worked against them. For example, it appears that the criteria for bonuses are too weighted towards reported metrics, rather than toward taking the time to understand the outcomes behind the statistics. What sort of message is sent to good employees when their "success" depends only on a small part of the picture of veterans' care?

There should be no shortcut to quality care for veterans in Washington policymaking circles either. The mere replacement of a cabinet secretary results in neither accountability nor reform. Even widespread firing of SES-level government employees will not automatically result in providing quality care for veterans. Other meaningful and more comprehensive reforms are needed, and without delay. Earlier this year my distinguished colleague from Vermont Senator SANDERS introduced an expansive collection of many needed reforms. Unfortunately, like so many bills we have tried to consider this year, partisan objections stalled progress based on procedural rather than substantive matters. Some of the same people who have been so critical of this administration and the VA were the same ones who voted to block going forward with needed reforms.

Well, the Senate is going to get another opportunity to consider a comprehensive collection of reforms. It must prompt some meaningful bipartisan action here in the Senate. Let's not play "gotcha." Let's play "help you" to the veterans. That is what we need to do. Congress has an obligation to consider, debate, and vote on the reforms needed to make our system of care for veterans both efficient and effective.

My wife began her nursing career as a brand new registered nurse in a VA hospital. I know how hard she and those around her worked. They were veterans of a different generation, but they needed help and care just as much as everybody else.

So I look forward to the Senate's consideration of the legislation introduced yesterday by Senator SANDERS. I am proud to cosponsor it. Many reforms are needed within the VA, and the Ensuring Veterans Access to Care Act takes important steps toward achieving these changes.

Of course, additional reforms are needed. So today I am introducing legislation to address one shortfall at the VA that has existed far too long. Current law provides a disincentive to cost-effective, onsite medical care solutions when operating rooms are refurbished or rebuilt within a VA hospital or care facility. Because the VA must report any major medical facility costs exceeding \$10 million to Congress, the VA is encouraged to pay for veterans care at outside facilities, including travel to and from those facilities, out

of the medical services account. It is robbing Peter to pay Paul. It is a different pot of money. So that way they do not have to have an extensive report. But the best solution for veterans and the bottom line may very well be a temporary onsite facility.

The bill is simple but attempts to take the allure of a shortcut away by ensuring that the expenses of temporary offsite care are also calculated and reported.

Senator SANDERS, the chairman of the Veterans' Affairs Committee, has said: "If you think it's too expensive to take care of our veterans, then don't send them to war." He is right. We paid for two unfunded wars on a credit card. Now it is time we invest in those who put themselves in harm's way to protect our security. It is time for us to worry about some of the things we need to do here at home. It is time.

By Mr. ROBERTS:

S. 2430. A bill to establish the Office of the Special Inspector General for Monitoring the Affordable Care Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ROBERTS. Mr. President, I first congratulate my colleague Senator ISAKSON for doing a good job of summarizing exactly where we are and the problems we are experiencing with the complexity of the Affordable Care Act and the hope that the new Secretary will be responsive, as the Senator so eloquently pointed out when he questioned her when she came before the committee. I thank the Senator for making an excellent speech and making excellent points, and I will endeavor to do the same, as we are talking about the same subject.

My remarks are once again on the Affordable Care Act. I know we have other issues, many important issues—the Veterans' Administration, the release of terrorists in an exchange—but it is equally important we continue to shed light on the many failings of this law.

During the very first debate on the Affordable Care Act, I distinctly remember comparing this rush to government health care as akin to riding hell-for-leather into a box canyon to find the only alternative would be to turn around, ride back out, and get on a more realistic, market-oriented health reform trail.

Then I put it another way. I said: There are a lot of cactuses out there. We didn't have to sit on every one of them.

We never even saw the bill before we voted on it. I think everybody understands that. I voted no and so did every Republican Senator and Member of Congress. This was not a bipartisan effort.

I regret to say to my colleagues that I told you so, and here we are in a box canyon. Until the administration provides us more details to the contrary, we have to assume that more Americans are losing the care they liked,

through cancellation notices, than they have enrolled in the exchanges. They are in a box canyon.

It is now estimated that ObamaCare will cost the Nation nearly \$2 trillion and has created higher premiums, higher taxes, less choice, confusion, delays, and problem after problem. Unfortunately, the President and his allies in the Congress continue to protect this law, despite its toll on our economy, our patients, and our providers.

The President promised, as we all remember: We'll lower premiums for a typical family by \$2,500 per year.

Valerie from Wichita, KS, wrote me a letter to share her story on this broken promise. She writes:

I wanted to let you know that I had to drop my company health insurance due to the Affordable Care Act. My premium before the Act was \$250 a month and my employer paid \$100 a month toward the premium.

My insurance year expired April 1st and the new year is under the ACA health insurance. The new plan is now much higher at \$565 a month and my employer can only afford to pitch in \$150 a month. I had to drop my plan due to unaffordability. I could not pay the \$415 a month.

The President also promised, highly publicized: "If you like your health care plan, you'll be able to keep your health care plan, period," and, "If you like your doctor, you'll be able to keep your doctor."

This law has significantly disrupted the individual health insurance market by imposing mandates and causing at least 5 million Americans to lose the insurance they had or have.

Doug, also from Wichita, wrote to share his personal story on this one. He said:

I am a small business owner who just got my family's health insurance cancelled. I have talked it through with [the insurance company] and at a minimum I will be paying 63% more per month for coverage that has a deductible 3 times greater than what I had and my doctor may or may not be in the network.

Doug continues on to say:

The only topic that matters in Washington is stopping the insanity of [ObamaCare].

Most important, the President promised, "I will protect Medicare." This law cuts over \$700 billion from Medicare to pay for ObamaCare. Part of those cuts come from the establishment, the establishment of an Independent Payment Advisory Board—what a wonderful acronym for this board—IPAB. This Board is supposed to be made up of 15 unelected bureaucrats who will decide which treatments in Medicare coverage should be taken away with regard to reimbursement. As I have stated on the Senate floor before, the IPAB has no accountability and their decisions are practically impossible to overturn.

The administration continues to give us piecemeal data on exchange enrollments, delays provisions of the law that they can't implement on time or simply wants to delay—a large serving of politics involved—and is providing exclusive waivers and special deals to

unions and others from the yoke of ObamaCare.

In fact, the nonpartisan Congressional Research Service confirmed that the administration has missed half of the mandated deadlines of this law. Most recently, press reports have indicated the government may be paying incorrect subsidies to more than 1 million Americans for their health care plans in the new Federal insurance exchanges, and they have so far been unable to fix the errors. Obviously, this poses a lot of problems for a lot of people.

Unfortunately, the President and his allies in Congress continue to protect this law despite its toll on our economy, patients, and providers.

A new Health and Human Services Secretary has been nominated, Sylvia Mathews Burwell, as Senator ISAKSON referred to, but with ObamaCare, nothing will alter. We are headed for socialized medicine. ObamaCare is the President's legacy. The President will unilaterally change what suits him best.

The hard-working taxpayers who are paying for this law, in large part from the 21 tax increases contained in it, have a right to some answers. That is right, I said 21 tax increases. Just some of these taxes include the following: the individual mandate tax, where people have to pay the government for not having insurance, even if they can't afford it; the employer mandate tax, where an employer pays a tax because they may have chosen to forgo providing insurance to their employees instead of having to lay off workers; the health insurance tax, which will be passed along to individuals in the form of higher premiums; the medical device tax.

I could go on and on. Many of these taxes have bipartisan support to be repealed, but we can't even get a vote on those.

With a \$1.8 trillion pricetag, this bill is so far-reaching it is difficult to find a Federal agency that doesn't have a hand in this pot; from your doctor's office to your wallet, to your privacy. That is why I am introducing today a bill to require a special inspector general for monitoring the Affordable Care Act. We call it the SIGMA Act. It is the Special Inspector General for Monitoring the Affordable Health Care Act.

While all of the Federal agencies charged with implementing the Affordable Care Act have Offices of the Inspector General—and they do, they are all investigating this law in their own silo—where have we heard that before with a lot of problems within the Federal Government—the Health and Human Services inspector general isn't talking to the Treasury IG or the Department of Labor IG or the Homeland Security IG or any one of those with each other.

This bill would give appropriate authority to investigate and to audit any programs or activities related to this law across the many Federal departments, State exchanges, and private contractors.

The legislation will require a report to be submitted to Congress and the American people 6 months after enactment and quarterly reports for the duration of time the Affordable Care Act is on the books. They have broad authority to review all aspects of the law. Things such as the following:

Changes in the health insurance marketplace, the amount of folks who have seen their premiums and out-of-pocket costs increased, shrinking physician and other provider networks. We have a right to know that.

The employer mandate, its effect on worker hours, employers' hiring, and the number of businesses subjected to the penalty. We have a right to know that.

The healthcare.gov Web site, its security, functionality, and verification systems. We have read a lot about that, but we have a right to know.

Duties of the Internal Revenue Service, plans for calculating subsidy overpayments and underpayments, how they will notify these individuals and what their plans are for recapturing these overpayments.

Medicare cuts via the IPAB, they will provide an analysis of the impact on medical outcomes for our seniors as a result of these cuts. We should know that.

All of these questions could and should be answered by a special inspector general. The bill would equip the special IG with the same investigative and law enforcement authority as standing inspectors general, including subpoena and audit powers to compel responses from the administration.

President Obama has claimed that his—his—is "the most transparent administration in history" and that his administration is committed to creating an unprecedented level of openness in government. Given these statements, I think the President should embrace the idea of a special inspector general for his health care law. After all, we need to know the outcomes of the 41 changes he has already made to the law.

It would provide increased transparency so the general public has a better understanding about this law. It would protect taxpayer dollars, and by providing an independent analysis of this law, it will allow the administration and Congress to make more informed decisions and work together on how we move forward with reforms to our health care system. I believe we need to do everything possible to repeal and replace this law with real health care reform—reforms that lower costs and restore the all-important relationship between a patient and a doctor.

However, as long as this law is on the books, we need a watchdog or a special inspector general to investigate the implementation of this law and ensure that our scarce taxpayer dollars are being spent in an appropriate manner. I encourage all of my colleagues to join me in support of this bill in calling for

increased oversight of the affordable—or unaffordable—health care law.

Let's ride out of the box canyon. Let's get on a better health care reform trail, and on the way we certainly don't have to sit on every cactus that comes along.

By Ms. WARREN (for herself, Mr. FRANKEN, Mr. HARKIN, Mr. REED, Mr. DURBIN, Ms. BALDWIN, Mr. ROCKEFELLER, Mr. REID, Mrs. FEINSTEIN, Mrs. BOXER, Mrs. MURRAY, Ms. LANDRIEU, Ms. STABENOW, Mr. CARDIN, Mr. BROWN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL of Colorado, Mrs. SHAHEEN, Mrs. HAGAN, Mr. MERKLEY, Mr. BEGICH, Mr. BENNET, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. HEITKAMP, Mr. MARKEY, Mr. BOOKER, Mr. UDALL of New Mexico, Mr. HEINRICH, Mr. SANDERS, Mr. MENENDEZ, and Mr. SCHUMER):

S. 2432. A bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes; read the first time.

Ms. WARREN. Mr. President, outstanding student loans now total more than \$1.2 trillion and millions of young people are struggling to keep up with their payments. But we have a chance to give those borrowers immediate relief by cutting the interest rates on existing student loans. Make no mistake—this is an emergency. Federal watchdog agencies such as the Federal Reserve, the Consumer Financial Protection Bureau, and the Treasury Department are already sounding the alarm.

Forty million Americans are saddled with student loan debt. It is holding them back, and it is holding our economy back too. Crushing student loan debt is keeping many young people from moving out of their parents' homes, from saving for a downpayment, from buying homes, buying cars, starting small businesses, saving for retirement, or making the purchases that grow our economy.

It doesn't have to be this way. Congress set artificially high interest rates on old student loans that generate extra money for the government. The GAO recently projected that just the slice of Federal student loans issued between 2007 and 2012 will generate \$66 billion for the U.S. Government. Those are the kinds of profits that would make a Fortune 500 CEO proud.

These young people didn't go to the mall and run up charges on a credit card. They worked hard and learned new skills that will benefit this country and help us build a stronger America. They deserve a fair shot at an affordable education. We can give them a fair shot by cutting those interest rates and cutting those government profits.

Along with more than 30 of my colleagues, I introduced the Bank on Students Emergency Loan Refinancing Act to do just that. The idea is simple. With interest rates near historic lows, homeowners, businesses, and even local governments have refinanced their debts. But a graduate who took out an unsubsidized loan before July 1 of last year is locked into an interest rate of nearly 7 percent. Older loans run 8 percent, 9 percent, 10 percent, and even higher. We need to bring those rates down, and we need to do it now. The Bank on Students bill would give student loan borrowers the opportunity to lower their interest rates on old loans to match the rates the government offers to new borrowers today. That is 3.8 percent for undergraduate loans, 5.41 percent for graduate loans, and 6.41 percent for PLUS loans.

I want to be clear. These rates are still higher than what it costs the government to run the student loan program. The government won't be subsidizing student loans. In fact, the government will be making a profit on these loans—just a much smaller profit. And let's also be clear that our work is not done until we eliminate all of the profits from the student loan program.

But this is a step that both Republicans and Democrats can easily support right now. Last year nearly every Republican in Congress in both the House and the Senate voted for the exact same loan rates that are in this legislation. If Republicans believe that 3.86 percent is good enough for new undergraduate borrowers, then it should be good enough for all the existing undergraduate borrowers. There is no reason on Earth to say that some kids could get a better deal than others when they all worked hard to do exactly what we wanted them to do—get an education.

Passing this bill would have a real impact for people who are struggling to make it—college students, young graduates who are only starting to build their lives, parents who are juggling their own student loans and trying to figure out how they are going to pay for their kids' educations, and parents who guaranteed their kids' student loans. Student loan refinancing can save real money for millions of Americans, and they are voicing their support. Letters, emails, and phone calls are already pouring in, and petitions for the bill's passage have already garnered hundreds of thousands of signatures. Think tanks such as Demos and the Center for American Progress, student groups such as Generation Progress and Young Invincibles, and teachers groups such as the AFT and NEA have all come forward and endorsed this proposal.

Today the Congressional Budget Office announced that the bill actually saves billions of dollars and reduces the Federal deficit. That is because the refinancing proposal is fully paid for by implementing the Buffett rule, which

limits the ability of millionaires and billionaires to exploit tax loopholes and pay a lower tax rate than middle-class families.

Later today we will introduce an updated version of this legislation in the hopes that we will be able to consider it on the floor of the Senate very soon.

I am encouraged by the fact that some Republicans have also come forward to say they are open to considering a refinancing proposal. I want to be clear. This should not be a partisan issue. I am eager to work with any of my colleagues regardless of party who believe that we need to do something about this growing debt crisis. If they have issues with the proposal, if they want to suggest different offsets or policy changes, they should bring their ideas forward. We are ready to hear them.

What we cannot do is continue to ignore this problem and hope that it will go away on its own. Congress made this mess by setting artificially high interest rates that are crushing our kids. It is Congress's responsibility to clean it up. Refinancing won't fix everything that is broken with our higher education system, but the need for comprehensive reform must not blind us to the urgency of addressing massive debt that is already crushing young people.

This is personal for me. I grew up in an America that made it a priority to invest in young people, and it opened a million doors for me. I will keep fighting to make sure that every kid who works hard and plays by the rules gets a fair shot. I urge my colleagues to join me in supporting this bill. Student loan borrowers don't have armies of lobbyists to fight for them, but they have their voices and they are asking for our support. Let's give it to them.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 467—RECOGNIZING THE 100TH ANNIVERSARY OF FISHERMEN'S TERMINAL IN THE PORT OF SEATTLE AND CELEBRATING SEATTLE'S RICH MARITIME HERITAGE AND ITS IMPORTANCE TO THE UNITED STATES

Ms. CANTWELL (for herself and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 467

Whereas Fishermen's Terminal in the Port of Seattle was officially dedicated on January 10, 1914, becoming the first operational facility in the Port of Seattle;

Whereas Fishermen's Terminal was the first commercial property purchased by the Port of Seattle and is located just east of the Hiram M. Chittenden Locks on the Lake Washington Ship Canal;

Whereas Fishermen's Terminal is home to the North Pacific Fishing Fleet and provides moorage for 400 commercial fishing vessels and work boats;

Whereas Fishermen's Terminal is critical to the operations of the Port of Seattle, the

port of entry for 50 percent of the total seafood caught in the United States;

Whereas there is a strong connection between the fishing and shipping industries of the Port of Seattle, and seafood exported out of the Port of Seattle was valued at more than \$997,000,000 in 2012;

Whereas the fishing fleets of Fishermen's Terminal harvest a wide variety of fish including salmon, halibut, Pacific cod, Alaska Pollock, sablefish, rock fish, whiting, yellowfin, sole, albacore, crab, shrimp, and other shellfish;

Whereas the fishing vessels that moor at Fishermen's Terminal include crabbers, longliners, purse seiners, trawlers, and trollers, and often fish in Alaskan waters such as Southeast Alaska, Bristol Bay, and the Bering Sea;

Whereas for the last century, Fishermen's Terminal has played a critical role in the fishing and maritime industry in both Washington and Alaska;

Whereas Fishermen's Terminal directly contributes and supports maritime jobs, and is a major driver of the maritime economy of the Pacific Northwest, which generates \$30,000,000,000 annually for the State of Washington;

Whereas annually, the fishing industry at the Port of Seattle creates 15,600 jobs, has a total payroll of \$1,900,000,000 per year, and generates \$814,000,000 in annual revenue for private businesses;

Whereas 34,500 Washington residents are employed by the Alaskan seafood industry;

Whereas Fishermen's Terminal contributes to the economic diversity and resilience of the Pacific Northwest due to the many industries it supports, including vessel construction, maintenance, and repair activity that brings vendors and suppliers together with a network of bankers, insurers, and other businesses that support fishing and shipping;

Whereas much of the infrastructure and businesses surrounding Fishermen's Terminal have been in place as long as the Terminal, and make up the most important economic maritime cluster of fish processing, cold storage, vessel fabrication, and barge and tug operations businesses in the United States;

Whereas the shore side support businesses surrounding Fishermen's Terminal employ a wide range of machinists, trade workers, and artisans who are skilled in traditional maritime crafts such as wood-working, fiberglass repair, painting, sail making, brass brightworking, marine engineering, and naval architecture;

Whereas Fishermen's Terminal is more than just a place to moor, repair, and maintain boats, and gives the Seattle community a sense of identity as a place where people work with their hands in industries that help define the region; and

Whereas Fishermen's Terminal is a cultural resource that is always open to the public, is home to the Fishermen's Memorial, a towering bronze sculpture that lists the names of 675 men and women who have lost their lives in their pursuit of the bounty of the sea, hosts thousands of people every September for the Fishermen's Fall Festival to celebrate the homecoming of Washington fishermen after a summer at sea, and is surrounded by lively restaurants, shops, and businesses that support the community and those in the fishing industry: Now, therefore be it

Resolved, That the Senate—

(1) recognizes that May 28, 2014 is the official centennial of Fishermen's Terminal; and
(2) praises the ongoing contributions of Fishermen's Terminal to the welfare of countless individuals, the fishing industry,

the Port of Seattle, the State of Washington, and the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 4, 2014, at 9:30 a.m., in room SD-406 of the Dirksen Senate Office Building, to conduct a hearing entitled, "NRC's Implementation of the Fukushima Near-Term Task Force Recommendations and other Actions to Enhance and Maintain Nuclear Safety."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 4, 2014, at 10:30 a.m. to conduct a hearing entitled "Evaluating Port Security: Progress Made and Challenges Ahead."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 4, 2014, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled, "Judicial Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 4, 2014, at 3 pm in Room 432 of the Russell Senate Office Building, to conduct a hearing entitled, "From Military Service to Small Business Owners: Supporting America's Veteran Entrepreneurs."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS AND CONSUMER PROTECTION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on June 4, 2014, at 10 a.m., to conduct a hearing entitled, "Student Loan Servicing: The Borrower's Experience."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PRIVACY, TECHNOLOGY, AND THE LAW

Mr. CARDIN. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary, Subcommittee on Privacy, Technology, and the Law be authorized to meet during the session of the Senate on June 4, 2014, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled, "The Location Privacy Protection Act of 2014."

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE LEGACY OF A.

PHILIP RANDOLPH

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 218 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 218) honoring the legacy of A. Philip Randolph and saluting his efforts on behalf of the people of the United States to form "a more perfect union."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 218) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 218

Whereas A. Philip Randolph was born on April 15, 1889, and grew up in Jacksonville, Florida;

Whereas Mr. Randolph attended the Cookman Institute, one of the first high schools for African-Americans in the United States, located in Jacksonville, Florida, and graduated valedictorian of his class in 1907;

Whereas Mr. Randolph was an inspirational person who demonstrated an unyielding struggle for human rights on behalf of marginalized groups in society;

Whereas Mr. Randolph was active in both the civil rights movement and the labor movement in the United States;

Whereas Mr. Randolph was a tireless and highly effective advocate for African-American rights during the 1930s and 1940s, focusing particularly on employment rights;

Whereas Mr. Randolph led the effort to organize the porters of the Pullman Company, one of the largest railroad car companies in the United States at that time;

Whereas Mr. Randolph founded the Brotherhood of Sleeping Car Porters, an organization that advanced the rights of African-American workers to dignity, respect, and a decent livelihood;

Whereas Mr. Randolph urged President Franklin Roosevelt to end employment discrimination against African-Americans in the Federal Government;

Whereas, after the urging of Mr. Randolph, President Roosevelt issued Executive Order 8802 (6 Fed. Reg. 3109) on June 25, 1941, declaring that "there shall be no discrimination in the employment of workers in defense industries and in government because

of race, creed, color, or national origin" and established the Fair Employment Practices Commission to oversee that order;

Whereas Mr. Randolph urged President Harry Truman to end segregation in the Armed Forces of the United States;

Whereas, after the urging of Mr. Randolph, President Truman issued Executive Order 9981 (13 Fed. Reg. 4313) on July 26, 1948, declaring that "[T]here shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale." and closed the segregated Marine Corps boot camp at Montford Point in Jacksonville, North Carolina;

Whereas Mr. Randolph was actively involved in the planning and organization of many civil rights efforts, including the prayer pilgrimage for freedom in 1957, the marches for school integration in 1958 and 1959, and the March on Washington in 1963;

Whereas Mr. Randolph was the first speaker of the day at the March on Washington on August 28, 1963, during which Dr. Martin Luther King, Jr., delivered his famous "I Have a Dream" speech;

Whereas the Civil Rights Act of 1964 (Public Law 88-352; 78 Stat. 241), the Voting Rights Act of 1965 (Public Law 89-110; 79 Stat. 437), and the Civil Rights Act of 1968 (Public Law 90-284; 82 Stat. 73) are the fruits of the seeds that Mr. Randolph and others like him sowed many years before;

Whereas Mr. Randolph helped to found the Leadership Conference on Civil and Human Rights;

Whereas Amtrak named one of its luxury sleeping cars, the Superliner II Deluxe Sleeper 32503, the "A. Philip Randolph" in honor of Mr. Randolph;

Whereas a bust in the likeness of Mr. Randolph stands in Union Station in Washington, DC, as a tribute to his work on behalf of African-American rail workers;

Whereas, in 1964, Mr. Randolph was awarded the Presidential Medal of Freedom by President Lyndon Johnson;

Whereas the civil rights revolution was launched, in no small part, based on the efforts of Mr. Randolph and the work of statesmen like him; and

Whereas, upon the celebration of the 50th anniversary of the March on Washington in 2013, it is fitting to honor the work of Mr. Randolph and his commitment to a better United States: Now, therefore, be it

Resolved, That the Senate honors the legacy of A. Philip Randolph and salutes his efforts on behalf of the people of the United States to form "a more perfect union".

HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF BILLY FRANK, JR.

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 463.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 463) honoring the life, accomplishments, and legacy of Billy Frank, Jr., and expressing condolences on his passing.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 463) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, May 22, 2014, under "Submitted Resolutions.")

RECOGNIZING THE 100TH ANNIVERSARY OF FISHERMEN'S TERMINAL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 467.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 467) recognizing the 100th Anniversary of Fishermen's Terminal in the Port of Seattle and celebrating Seattle's rich maritime heritage and its importance to the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 467) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

MEASURE READ THE FIRST TIME—S. 2432

Mr. REID. Mr. President, S. 2432, it is my understanding, was introduced earlier today and is due for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 2432) to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

Mr. REID. I ask for a second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive a second reading on the next legislative day.

ORDERS FOR THURSDAY, JUNE 5, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, June 5, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 1:45 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes and that the final 20 minutes be equally divided and controlled between Senators WYDEN and HATCH or their designees, with Senator WYDEN controlling the final 10 minutes; and that at 1:45 p.m. the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be up to, as I mentioned, two rollcall votes at 1:45 p.m. tomorrow.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order, following the remarks of the distinguished junior Senator from Wyoming, and that he be recognized for up to 7 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wyoming.

RECALLING TIANANMEN SQUARE

Mr. BARRASSO. Mr. President, today marks the 25th anniversary of the Tiananmen Square massacre.

The violent suppression and forcible dispersion in Tiananmen Square by the Government of China resulted in the death and injury of peaceful demonstrators.

I have worked with Members of the Senate from both sides of the aisle, through the Foreign Relations Committee, on a resolution expressing sympathy to the families of those killed, those tortured, and those imprisoned due to their participation in the peaceful democracy movement in Tiananmen Square.

Our resolution also calls out the Government of China for subjecting its citizens to physical attacks, harassment, and detention for attempting to discuss or commemorate the events of June 1989.

The Chinese authorities to this day continue to block and censor public discussions and events marking the anniversary of Tiananmen Square.

The resolution also condemns the ongoing human rights abuses by the Government of China.

The United States has a long record of championing liberty and freedom around the world. The Senate must stand up and support those individuals who have in the past and continue to this very day to demand their rights in China.

So Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 383, S. Res. 451. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 451) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 15, 2014, under "Submitted Resolutions.")

Mr. BARRASSO. Thank you, Mr. President.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

(Thereupon, the Senate, at 5:34 p.m., adjourned until Thursday, June 5, 2014, at 10 a.m.)

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

JOHN R. BASS, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND

PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TURKEY.

LESLIE ANN BASSETT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY.

ALLAN P. MUSTARD, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TURKMENISTAN.

TODD D. ROBINSON, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUATEMALA.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. WARREN H. HURST, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. WALTER E. CARTER, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDANT OF THE MARINE CORPS, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 5043 AND 601:

To be general

JOSEPH F. DUNFORD, JR.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY, UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

To be colonel

TROY R. HARTING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

WILLIAM E. BUNDY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12204:

To be colonel

DAVID V. EASTHAM

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ROBERT L. BOYLES
ROBERT A. CHRISOSTOMO
MICHAEL J. PERRY
JOHN E. ROZSNYAI
CURT R. SIMONSON
MATTHEW D. SMITH
TYLER B. SMITH

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

THOR MARTINSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

CHRISTOPHER S. MAYFIELD

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 211(A)(2):

To be lieutenant commander

ANGELA R. HOLBROOK
MARTHA A. RODRIGUEZ

CONFIRMATIONS

Executive nominations confirmed by the Senate June 4, 2014:

THE JUDICIARY

MARK G. MASTROIANNI, OF MASSACHUSETTS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS.

BRUCE HOWE HENDRICKS, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA.

TANYA S. CHUTKAN, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLUMBIA.

DEPARTMENT OF COMMERCE

STEFAN M. SELIG, OF NEW YORK, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE.